

Attachment C-II

Certification of the Applicability of the Substantial Harm Criteria

Facility Name

National Weather Service – El Paso Weather Forecast Office

Facility Address

7950 Airport Road
Santa Teresa, New Mexico 88008

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?

Yes _____ No X

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?

Yes _____ No X

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula¹) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 13, for availability) and the applicable Area Contingency Plan.

Yes _____ No X

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula¹) such that a discharge from the facility would shut down a public drinking water intake²?

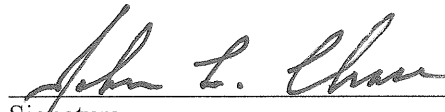
Yes _____ No X

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil discharge in an amount greater than or equal to 10,000 gallons within the last 5 years?

Yes _____ No X

Certification

I certify under penalty of law that I, or my agent, have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.



Signature

John Chase, P.E.

Name (please type or print)

Senior Project Engineer

Title

3-1-05

Date

¹If a comparable formula is used, documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.

SPILL PREVENTION, CONTROL, AND COUNTER MEASURE PLAN

NATIONAL WEATHER SERVICE
WFO/RDA
7950 Airport Road
Santa Teresa, New Mexico 88008

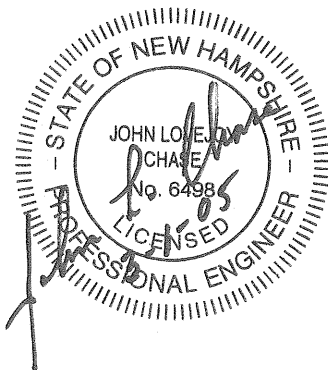
Original Date of Plan: February 2005
Date of Last Plan Review: February 2005
Date of Last Amendment And P.E. Certification: February 2005

Designated Person Responsible for Spill Prevention:

Michael D. Teer, Electronic Technician
Telephone: (505) 589-4088 x260

CERTIFICATION

I hereby certify that I have examined the facility, and being familiar with the provisions of Title 40 of the Code of Federal Regulations Part 112, I attest that this Spill Prevention, Control, and Countermeasure (SPCC) plan has been prepared in accordance with good engineering practices.



John Chase, P.E.

Printed Name of Professional Registered Engineer

John L. Chase Date: 3/1/05
Signature of Registered Professional Engineer

Registration No. 6498 State: NH

REVIEW DOCUMENTATION AND MANAGEMENT APPROVAL PAGE

REVIEW DOCUMENTATION

In accordance with Title 40 of the Code of Federal Regulations (40 CFR) Part 112.5(b), a review and evaluation of this SPCC plan will be conducted at least once every 5 years. As a result of this review and evaluation, the National Weather Service will amend the SPCC plan within 6 months of the review to include more effective prevention and control technology if the following both apply:

- Such technology will significantly reduce the likelihood of a spill event from the facility
- If such technology has been field-proven at the time of review

In accordance with 40 CFR §112.1 and §112.3 any amendment to the SPCC plan shall be certified by a Professional Engineer within 6 months after a change in the facility design, construction, operation, or maintenance occurs which materially affects the facility's potential for a discharge of oil "...in quantities that may be harmful... into or upon the navigable waters of the United States or adjoining shorelines or waters of the contiguous zone... or that may affect natural resources..."

Review Date	Signature of Designated Person	Amended (Yes or No)?

MANAGEMENT APPROVAL

The National Weather Service is committed to the prevention of discharges of oil to navigable waters and the environment. We maintain the highest standards for SPCC through regular review, updating and implementation of this SPCC plan for the National Weather Service Facility located at 7950 Airport Road, Santa Teresa, New Mexico, 88008.

Printed Name and Title of Meteorologist In Charge

Signature and Date

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ATTACHMENT 1 40 CFR 112

PART I - GENERAL INFORMATION

A. GENERAL

This section of the Spill Prevention, Control, and Countermeasure (SPCC) plan provides general information about the facility and a description of the site and its operations.

NOTE: A complete copy of this SPCC plan shall be maintained and kept available at the El Paso Weather Forecast Office, Santa Teresa, New Mexico.

1. Name

National Weather Service (NWS) - El Paso Weather Forecast Office, Santa Teresa, New Mexico.

2. Type

This facility is an onshore (non-production) facility that operates as a Weather Forecast Office (WFO). The facility has a Radar Data Acquisition (RDA) building at the NEXRAD radar system.

3. Date of Initial Operation

The WFO relocated from El Paso, Texas, to a new facility at Santa Teresa, New Mexico, in September 1995. The new installation included an emergency generator and associated fuel systems. In March 1996, the RDA was installed, and it also included its own emergency generator and fuel tanks.

4. Location

National Weather Service	Latitude:	31° 52' 20" N
Weather Forecast Office	Longitude:	106° 41' 52" W
7950 Airport Road	Elevation:	4109 ft.
Santa Teresa, New Mexico 88008		
(505) 589-4088		

5. Name and Address of Operator

National Oceanic and Atmospheric Administration
National Weather Service - Southern Region Headquarters
819 Taylor Street
Room 10A06
Fort Worth, Texas 76102
(817) 978-2367

6. Facility Contacts

<u>Name</u>	<u>Title</u>	<u>Telephone Number</u>
Main Number/WFO		(505) 589-4088 (24-hours)
William Alexander	MIC	(915) 309-8903 (off hours)
Michael Teer	ET	(505) 522-5111 (off hours)

B. SITE DESCRIPTION AND OPERATIONS

This section describes the site and its operations.

1. Facility Location, Layout, and Operations

The facility is located in Santa Teresa, New Mexico, adjacent to, and south of, the Santa Teresa International Airport. The property is owned by NOAA. The facility is on a privately maintained drive at 7950 Airport Road, approximately 1.2 miles west of the intersection of Airport Road and Artcraft Road. Figure 1 is a map the local Santa Teresa area. Figure 2 (a site drawing from prior to the installation of the RDA) shows the facility layout.

The facility has two separate emergency generators with associated above-ground diesel fuel storage tanks (AST). One 175 kW generator, which supplies emergency power to the WFO, has a 1,000 gal. AST plus a 72 gal. day tank (calculated from outside measurements). There is also an 80 kW generator that supplies emergency power to the RDA and has two ASTs, each having a capacity of 229.8 gallons. Both generators utilize #2 diesel fuel.

The estimated fuel usage is approximately 60 gallons per month. This estimate is based on extrapolation from recent fuel orders. The generators are tested once per week for 60 minutes. The generators are also activated in advance of potential power outages during severe weather conditions. Obviously, fuel consumption would increase based on the duration of any power outages.

The WFO AST is not enclosed in fenced area; however, the facility is staffed 24-hours a day, 365 days a year and there are security cameras strategically placed around the facility. All buildings are kept locked. The RDA and associated buildings *are* in a fenced compound which is also kept locked. The exterior of the entire facility is lighted at night.

2. Facility Storage

The generator for the WFO is located just to the northeast of the WFO in a brick building which is approximately 225 square feet (ft²). Its associated above-ground storage tank (AST), which has a capacity of 1,000 gallons, is located adjacent and to the north of the structure. The AST is mounted on a concrete pad, is rectangular, and is of double-walled, steel construction (Joaquin Manufacturing). Figure 3 is a schematic of the WFO emergency generator and fuel tank. The AST's fill port is located on the top of the tank and is situated in an overfill well below the grade of the top of the tank. The well has a capacity of approximately 7-8 gal. Piping from the AST leads into the generator building and into the day tank. The day tank has a capacity of 72 gallons (calculated) and feeds directly to the Marathon/Caterpillar generator. The day tank, located directly below the generator sits in a steel, open-topped spill pan which provides secondary containment. The spill pan holds approximately 192 gal. (calculated). The tank is connected to the generator via 37 ft. of 1 in. (outside diameter) black steel pipe. All of the joints are threaded. The piping is single-walled; however, the pipe outside the building that leads from the AST to the building is sheathed in a PVC pipe. Flexible hosing connects the steel pipe from the floor of the space to the engine as a safeguard against rupture from vibration when the generator is running.

The AST has a high level audible alarm at the tank. The AST also has an audible alarm in the event of interstitial leakage (secondary containment) around the tank.

The generator and fuel tanks for the RDA are located in a pre-fabricated building (manufactured by Fibrebond) to the north of the WFO (See Figure 4). The Kohler/John Deere generator is located in the center of the 130 ft² building. The twin 229.8 gal. diesel tanks (manufactured by IFH Group Inc.) are rectangular in shape and mounted next to the north wall of the building. They are constructed of steel and are single-walled. The fueling port is located outside the north wall of the building. The building is designed to be the secondary containment for this system. The watertight containment measures 9 in. from the floor to the door sill. The secondary containment for the building is calculated to be in excess of 700 gallons.

The ASTs are connected to each other via two lateral pipes (one high, one low) and allow for diesel to move from one tank to the other. The tanks are connected to the generator via 13 ft. of ½ in. black steel pipe and all joints are threaded. Flexible hosing connects the steel pipe to the engine, again, for protection against vibration.

The ASTs are not fitted with any audible alarm systems. There is a low-level indicator which sends a signal to a computer in the WFO indicating when the tanks need to be refueled.

Table 1 in Section 7 summarizes the diesel storage capacities at WFO El Paso.

3. Drainage Pathway and Distance to Navigable Waters

The terrain at the El Paso NWS facility is relatively flat. There is very little change in grade around the WFO, WFO emergency generator, or RDA complex. Much of the area is covered with gravel. Areas not covered in gravel consist mostly of tightly packed, fine-grained sand. Diesel fuel, being a light fuel, will easily penetrate the gravel and can penetrate sand with some success. However, it is not anticipated that spilled fuel would travel far from the site of the spill, nor would it have any potential to impact any surface waters. There is basically no water in the immediate vicinity of the facility. The only navigable water in the region is the Rio Grande, which is approximately 5 miles to the east at its closest approach (See Figure 5).

Cleanup options for any significant spill that was not contained at this site would most likely be to remove the contaminated sediment and replace.

Three-spill kits containing absorbent boom, pads and pillows, and drain seals, are located at the main generator. Two are stationed outside and adjacent to the 1,000 gal AST, and another kit is located inside the WFO generator building.

Oil spilled from the 1,000 gallon AST would spill onto the concrete pad and then onto the surrounding gravel. Any oil spilled in the main generator room, that exceeded the secondary containment, would spill onto the floor of the space and out the doorway which faces east. Oil spilled from the RDA ASTs would spill onto the floor of the building and if this secondary containment were to be exceeded, out the doorway which also faces east. Fueling trucks –for both generator systems– park on the graveled areas adjacent to the fueling ports. The trucks that supply fuel to WFO El Paso typically have a 1,600 gal. capacity and are constructed with 3 or 4

separate compartments. In most cases the trucks utilize automatic shutoff nozzles (similar to the types used at gas stations) to prevent overfilling.

4. Spill History

Reportable spill events from 1994 to present (date on cover of this plan):

None.

5. Spill Potential, Volumes, and Rates

The most likely causes of spills from the ASTs are from overfilling or a ruptured hose during refueling, a failure of one of the compartments of the fuel truck, failure of the structural integrity of the AST, or a ruptured fuel line.

If conducted according to plan and with good management practices, large spills from fueling operations are not likely.

For the ASTs, a large spill caused by loss of structural integrity or vehicle collisions are low probability events owing to alarm systems, weekly testing of the generators and daily observations by NWS personnel.

Table 2 summarizes the potential type of spills, volumes, and rates.

6. Discussion of Facility Conformance with 40 CFR 112

Every effort has been made by the NWS to ensure that this facility fully conforms to the applicable provisions of 40 CFR 112. The following is a brief summary of the applicable characteristics of the facility:

- a. The facility is staffed 24-hours a day, 365 days a year. The generators are tested monthly, and on a daily basis NWS personnel are working near and around both generator systems decreasing the likelihood of a large spill incident. The facility is located near the Santa Teresa International Airport and the city of El Paso, Texas, where rapid response is available in the event of a fuel spill.
- b. The 1,000 gallon AST has an overfill alarm as well as an interstitial alarm. The day tank for the main generator is contained in an overfill catch basin. The ASTs for the RDA generator are in a building which has been designed to provide ample secondary containment.
- c. The SPCC Plan:
 - i. Has the full approval of the appropriate NWS managers.
 - ii. Has been prepared and certified by a Professional Engineer.
 - iii. Provides for prevention efforts to ensure that fuel oil discharges will not occur.
 - iv. Provides a vehicle to ensure that personnel training is accomplished.
 - v. Provides for appropriate reporting of oil discharges.
 - vi. Provides for appropriate mitigating actions to be taken if an oil discharge should occur.

7. **Type of Oil and Storage Capacity**

Table 1. Descriptive Inventory of Facility Storage

Tank	Nominal Capacity (Gallons)	Product Stored	Type	Double Walled?
WFO AST	1,000	#2 Diesel	Rectangular Steel	Yes
WFO Day Tank	~75	#2 Diesel	Rectangular Steel	No*
RDA ASTs (2)	229.8 each	#2 Diesel	Rectangular Steel	No*

* These ASTs have been provided with external secondary containment.

PART II - DESIGN COMPONENTS AND OPERATIONAL PROCEDURES FOR SPILL PREVENTION AND CONTROL

This section describes the design components and operating procedures that have been or will be implemented at the facility to prevent oil spills. The facility will review the design and operational procedures contained in this section and implement those that are not currently in place.

A. TANK AND SYSTEM DESIGN FOR SPILL PREVENTION

This section describes components and operating procedures that will be implemented at the facility to prevent oil spills.

1. Aboveground Storage Tanks (AST)

WFO AST: The AST construction will be compatible with the #2 diesel fuel held by the tank. The AST will have secondary containment around the primary tank shell. A level gauge or dipstick will indicate the fuel level (from empty to full).

An automatic shut-off valve on the fill spout will be set to close at 90 percent of capacity (900 gallons). The AST also will have an audible high-level alarm set at 85 percent of capacity (850 gallons) and interstitial monitoring device between the primary and secondary tanks that is connected to the audible alarm system. A seven-gallon capacity spill container will surround the fill spout.

Day Tank: This tank will have an open top spill pan (rupture basin) designed to hold 110 percent of the tank volume. It will have a liquid level gauge to indicate the amount of fuel in the tank (empty to full) and a high-level float switch connected to the audible alarm to warn of overfilling. The rupture basin will have a float switch designed to detect fuel that has spilled or leaked. The float switch will be connected to an audible alarm system in the office.

Piping: An anti siphoning valve will be located between the AST and the pump to prevent unwanted fuel from being siphoned from the AST.

2. Tank Refueling and Truck Unloading Operations

All delivery drivers will have U.S. Department of Transportation hazardous material transportation training as required by Federal law.

The remainder of this section discusses the procedures that will be used during unloading of fuel from the tank truck into the AST to prevent spills. This procedure will be documented every time refueling occurs using the appropriate form (See Appendix A). Copies of these forms will be kept for 5 years.

- a. The following procedure will be used **before** fuel delivery and unloading:
(See Appendix A-2)
 - i. If applicable, place a magnetic, urethane spill cover over the storm drain catch

- basin inlet.
 - ii. The Designated Person or his designated representative should determine the available capacity (ullage) of the AST by converting the reading on the fuel gauge to gallons (see Appendix A). This ullage is communicated to the fuel supply contractor and marked in the fueling log.
 - iii. Move spill containment equipment such as booms, spill barriers or spill kits into the unloading area.
 - iv. Block the tank truck wheels.
 - v. Place drip pans under all pump hose fittings (if applicable) before unloading.
 - vi. The Designated Person or his designated representative and the delivery driver will ensure the fill nozzle is placed in the appropriate AST filling port.
- b. The following procedure will be used **during** the fuel unloading period: (Appendix A-2)
- i. The Designated Person or his/her designated representative and the delivery driver will remain with or near the vehicle and the fuel tanks at all times during unloading. Gauges on the AST and the truck, as well as the fueling nozzle, will be continuously monitored to ensure the ullage is not exceeded. If the audible high-level alarm sounds, stop the unloading procedure immediately to ensure fuel ullage is not exceeded.
- c. The following procedure will be used **after** fuel unloading is completed: (Appendix A-2)
- i. Record the amount of fuel transferred to the AST in the log (Appendix A-1).
 - ii. Drain the fill hose and then ensure that all drain valves are closed (if applicable) before removal of the hose from the tank.
 - iii. Pour any uncontaminated fuel in the drip pans, tank truck containment pool, or spill pipe spill bucket container into the AST (if it has the capacity) or dispose of appropriately.
 - iv. Inspect the tank truck before removing the blocks to ensure the lines have been disconnected from the tank.
 - v. Remove the blocks from truck wheels.
 - vi. Place a copy of the completed fuel-unloading checklist in the SPCC.

3. Inspections and Records

Inspection and Maintenance of Tanks: The AST and day tank will be inspected, each time a maintenance technician visits the site, as well as the regularly scheduled monthly inspections, for any fuel leaks, especially at the tank seams (including the underside of the tank). The outside of exposed piping will also be inspected. Monthly and annual inspections will follow the checklists shown in Appendix B-1 and B-2. Monthly and annual inspection forms will be completed by the staff.

Integrity Testing: Integrity testing of the ASTs is required under the new regulations put forth by the U.S Environmental Protection Agency (EPA). However manufacturers of shop-built tanks

have stated that integrity testing of their tanks is not necessary and that best management practices should be employed instead. The EPA has stated, “*for certain smaller, shop-built containers in which internal corrosion poses minimal risk of failure; which are inspected at least monthly; and, for which all sides are visible (i.e., the container has no contact with the ground), visual inspection alone might suffice, subject to good engineering practice.*”

To comply with §112.8.c.6, WFO El Paso will continue to make observations during generator tests, conduct regular monthly and annual inspections, and recommend integrity testing only when it is warranted, e.g. noticeable leakage or corrosion. Testing will also be conducted if the structural integrity comes into question as a result of a fire, earthquake or other similar event.

Record Keeping: The Environmental/Safety Focal Point or Maintenance Technician, (person designated for spill prevention at the facility) will be responsible for completing (i) the Ullage Logs and documentation of Fuel Unloading Procedures, (ii) the Records of Inspections, (iii) the Training Record, and (iv) the Spill Response Exercise Record. These records will be maintained for at least 5 years from the time of the recorded action.

4. Site Security

The WFO AST is not enclosed in fenced area; however, the facility is staffed 24-hours a day, 365 days a year, and there are security cameras strategically placed around the facility. All buildings are kept locked. The RDA and associated buildings *are* in a fenced compound which is also kept locked. The exterior of the entire facility is lighted at night.

Signs are posted on and around the ASTs warning of the presence of a combustible liquid, the combustible liquid is diesel fuel, and that smoking is prohibited near the AST. Fire extinguishers are located in the generator buildings. There is no vehicular traffic near the ASTs.

5. Training

As a minimum, the Environmental/Safety focal point, an alternate, and the responsible manager (MIC, HIC, or OIC) are trained in the intent of applicable oil spill regulations and how to implement the inspection and maintenance procedures outlined in the previous paragraph. Spill control and countermeasure is included in the training. An outline for the training is found in Appendix C.

Training is repeated once per year. All new personnel responsible for implementing this SPCC plan are properly trained before beginning work at the new position. A record of who is trained when, and by whom (Appendix C) is filed with this SPCC plan and kept for a period of 5 years.

B. SPILL CONTROL

This section describes control measures that have been implemented to prevent any spilled oil from entering navigable waters or adjoining shorelines.

1. Secondary Containment Designs, Construction Material, and Volume

The AST for the WFO’s generator is fitted with secondary containment. The secondary containment consists of a 0.25-in. Styrofoam shell which is encased in a polypropylene jacket.

At the bottom of the polypropylene jacket is a moisture sensor (interstitial alarm) which if activated triggers an audible alarm at the tank. Surrounding the polypropylene jacket is a 6 in. layer of concrete.

The secondary containment for the WFO generator's day tank is a steel catch basin mounted under the day tank. The volume of the catch basin is calculated to be approximately 200 gal.

The secondary containment for the RDA ASTs is the pre-fabricated housing itself and provides for approximately 150 percent of the volume of the storage tanks.

2. Spill Kits Type and Location

The Pig 202 spill kits or equivalent will be located in the generator room or in the Generator Building near the respective ASTs. The spill kits are designed to absorb up to 60-gallons each of diesel fuel and to divert a spill from navigable waters. The kits include oil absorbent socks and mats in a polyethylene container that doubles as a disposal container.

3. Drain Inlet Cover

If applicable, magnetic, urethane will cover will be placed over the storm drain catch basin inlet prior to any fuel transfer.

4. Personal Protective Equipment (PPE)

If a leak or spill were to occur, it might be necessary for NWS personnel to conduct initial emergency procedures to minimize the impact of the spill, control the spill, or secure the area. In order for them to employ the SWIMS procedure (see Part III.A of this plan) it may be necessary for them to come into contact with the diesel fuel. If this were to occur, NWS personnel must use proper PPE. Proper PPE for diesel fuel is specified in the MSDS (Appendix F).

- Eye protection is accomplished by the use of **Chemical Goggles** or a **Full Face Shield**. An **Eyewash Station** should be provided in the area.
- Hand protection is accomplished by the use of **Nitril Gloves** and will be worn at all times when handling this material. If there is a likelihood of skin exposure then impervious clothing such as **Tyvek** should be worn.
- Other clothing & equipment - if contaminated - must be removed and laundered before reuse. Items that cannot be laundered should be discarded.

PART III - SPILL COUNTERMEASURES AND REPORTING SPILL COUNTERMEASURES

A. SPILL COUNTERMEASURES

This section presents countermeasures to contain, clean up, and mitigate the effects of any oil spills at this site.

1. SWIMS

A spill containment and cleanup activity will never take precedence over the safety of personnel. No countermeasures will be undertaken until conditions are safe for workers. The SWIMS procedure should be implemented as countermeasures:

- S** - Stop the leak and eliminate ignition sources.
 - a. Attempt to seal or some how stop leak if it can be done safely.
 - b. Attempt to divert flow away from any drainage ditch, storm sewer or sanitary sewer with a spill barrier or the contents of spill kit. The spill kit is located in the Generator Building.
 - c. Eliminate all ignition sources in the immediate area.
- W** - Warn others.
 - a. Yell out “SPILL”. Inform the person in-charge at your facility.
 - b. Account for all personnel and ensure their safety.
 - c. Notify contacts and emergency response contractor as described in the following section for assistance in control and cleanup.
- I** - Isolate the area.
 - a. Rope off the area
- M** - Minimize your exposure to the spilled material by use of appropriate clothing and protective equipment. If possible, remain upwind of the spilled material.
- S** - Standby to assist the emergency response contractor.

B. SPILL REPORTING

This section discusses the reporting procedures for spills of diesel fuel at the facility. The people and organizations that are notified vary, based on the quantity of the spill, whether it reaches navigable waters or adjoining shorelines, the frequency and history of spills and the potential impacts which the spill may have on people, property, or the environment.

A spill report form that requests the information to be reported to all agencies in writing (to the

extent known) is included in Appendix D. Copies of the completed form should be sent to the NWS Environmental Compliance Officer and the National Oceanic and Atmospheric Administration (NOAA) Mountain Regional Compliance Officer (see next section).

1. General Notification Procedures for All Spills

- First, call 911 (or the local emergency agency) if there is an immediate emergency.
- Next, notify the appropriate persons within the NWS and NOAA:
 - **Terry Brisbin, Regional Env/Safety Coord.** **817-978-2644 x139**
 - **Mark George, RECO for the Mountain Region** **303-497-3064**
 - **Mike Jacob, NWS Env. Compl. Officer** **301-713-1838 x165**
 - **Olga Kebis, NWS Safety Officer** **301-713-1838 x173**

2. Federal Notifications

The Federal Clean Water Act as described in 40 Part 110.6, requires notifying the EPA National Response Center or the U.S. Coast Guard (USCG) as soon as anyone has knowledge of any discharge of oil in quantities that “may be harmful,” 40 CFR 110.3 defines “may be harmful” as a discharge if either of the following applies:

Violates applicable water quality standards.

Or

Causes a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

If either of these criteria is met, contact the following:

The National Response Center	800-424-8802
EPA Region 6	866-372-7745

Additionally, under the SPCC regulations under 40 CFR 112.4(a), if either of the two spill criteria (listed below) occurs, a report must be submitted to the EPA Regional Administrator within 60 days:

- A discharge of more than 1,000 gallons of oil into or upon navigable waters or adjoining shore lines in a single event.
- Two spill events that cause discharge of more than 42 gallons in each event, within any 12 month period.

Please refer to 40 CRR 112.4(a) for instructions on the required contents of the report and proper reporting procedures.

Diesel fuel is not listed as a hazardous substance under the Comprehensive Environmental Response Compensation, and Liability Act (CERCLA); therefore, no other notification to the

EPA is required for discharges of diesel fuel other than those listed previously.

3. State Notifications

The ASTs at WFO El Paso are not regulated by the State of New Mexico's Petroleum Storage Tank Bureau (i.e., the tanks to not exceed 1,319 gal. and are "*associated with an emergency generator system.*"), however, the state does require that prompt notification be made when there is a spill or release of "*any material in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or may unreasonably interfere with the public welfare or the use of property.*"

In this instance notification should be made to the New Mexico Dispatch Office who will then in turn contact the New Mexico Environment Department:

- **NM Environment Dept. (via Main Dispatch) 505-827-9329**

Note: New Mexico has not established reportable quantity thresholds.

If needed additional state assistance can be obtained from the New Mexico State Police.

- **New Mexico State Police Dispatch 505-827-9126**

4. Local Contacts and Notifications:

- **Santa Teresa Volunteer Fire Dept. 911 or 800-260-0911**
- **Dona Ana County Emerg. Management 505-527-8741**
- **Local Emerg. Planning Comm. 505-524-6300**

5. Cleanup Contractor Notification

The following cleanup and environmental consulting contractors have been identified in the Santa Teresa area that would be able to assist WFO El Paso in the event of a spill emergency:

D&H Pump Services, Inc. (Spill Cleanup)
1221 Tower Trail
El Paso, Texas 79907
915-859-8150 or 915-859-8111

Rhino Environmental Services, Inc. (Spill Cleanup)
350 Valley Chile Road
Vinton, Texas 79821
915-886-4355 or 888-461-1894 (Pager)

ENCON Environmental Services, Inc. (Environmental Consulting)
7307 Remcon Circle
Suite 101
El Paso, Texas 79912
915-833-3740

PART IV - RECOMMENDED IMPROVEMENTS

In accordance with 40 CFR 112.7, this section presents physical upgrades or procedural changes that are not yet fully operational but are called for in the plan.

A. PHYSICAL UPGRADES

The ASTs, piping system, alarm system, and spill response equipment satisfy all current Federal and State of New Mexico requirements and are in good operating condition. However, the following changes and upgrades are recommended:

- Provide secondary containment for the refueling truck when practicable. Until that time, employ best management practices (see below). There are a number of secondary containment options available to the agency. There are several types of temporary drive-on berm systems commercially available. Another simple option might include installing asphalt berms at the fueling site with properly engineered, and controllable, drainage systems. Obviously, any engineered system would require the approval of a licensed engineer.
Note: Currently industry has requested that EPA redefine the term 'loading/unloading rack' (§112.7 (h)). It is possible that a change in this definition could exempt a facility from providing secondary containment for fuel trucks during fuel delivery for on-site consumption.
- Have the float switch for the WFO AST tested regularly. Repair if necessary.
- Install secure fencing around WFO AST when practicable. Until such time, continue to employ good security practices such as maintain lighting and security cameras.
- The catch basin for the day tank did not have a level indicator nor an alarm. Nor was there one for the day tank. In accordance with 40CFR §112.8(c).8 installing such a system for the day tank and/or the catch basin is recommended.
- It is not clear as to the purpose of the PVC sheathing on the black pipe leading from the WFO AST into the generator building. The PVC sheathing is problematic in that it does not allow for routine inspections, and more than likely provides an environment around the black pipe that promotes corrosion. If the sheathing was meant as secondary containment, then it should be removed and a more appropriate form of secondary containment installed, such as a lined catch basin. If the sheathing was meant as a form of physical protection, then the solid PVC piping should be exchanged for a sheathing that provides physical protection and allows for visual inspection and drainage to reduce the risk of corrosion (e.g. PVC drainage piping).

B. PROCEDURAL CHANGES

The following procedures and/or procedural changes are recommended:

- Owing to the lack of secondary containment for the fuel truck it is strongly recommended that proper procedures be diligently followed during refueling operations as prescribed in Part II, A.2 and Appendix A of this plan.

- Perform all inspections as outlined in Part II, A.3 and Appendix B of this plan.
- Maintain a training program for all relevant personnel on an annual basis and when new personnel report to the facility as prescribed in Part II, A.5 and Appendix C of this plan.
- Continue to conduct spill exercises annually as prescribed in Part II, A.5 and Appendix D of this plan.

1. Inspections and Preventative Maintenance

The inspection checklists found in Appendix B should be followed. The interstitial monitoring device in the AST is designed to monitor the integrity of the primary tank. Visual inspections of the outside of the secondary wall of the AST and the primary wall of the day tank will serve to signal a potential problem with the tank integrity.

Table 2. Potential Spill Sources and Volumes

Source	Event	Potential Spill Volume (gallons)	Estimated Rate (gallons per minute)	Direction of Spill Flow	Remarks
WFO AST and Day-Tank NOTE: The Steel AST and the Steel Day Tanks are separated by about 20' and are interconnected via a fuel transfer pump.	Overfilling or a ruptured hose during fueling.	0 to 40 ^a	80 ^b	Into the surrounding gravel/sand substrate. Very little grade in this area.	Spills of this nature would largely be contained on the paved area or in the gravel and sand around the tank area.
	Failure of fuel supply line to pump	* 0 to 1000 ** 0 to ~75	Variable depending on the nature of the failure.	Same as above; except in the case of failure inside the generator room. A spill of this nature would go onto the floor of the space and then east out the doorway, then into the gravel/sand substrate.	Can be minimized through routine inspections especially during operations.
	Structural Failure	* 0 to 1000 ** 0 to ~75	Variable depending on the nature of the failure.	Same as above.	Low probability event that both primary and secondary containment would have to fail.
	Vehicle Collision	* 0 to 1000 ** 0 to ~75	Variable depending on the damage.	Same as above.	Very low probability. There is no vehicular traffic near the AST.
	Overturn or puncture in an earthquake	* 0 to 1000 ** 0 to ~75	Variable depending on the nature of the damage.	Same as above.	Low probability. Santa Teresa is in a moderate-risk earthquake zone.
	Failure of the pump to shut down after filling the day-tank or failure of the line from pump to day tank.	0 to 1000	Variable depending on the nature of the failure.	Same as above.	Can be minimized through routine inspections and maintenance. A fuel return line is installed to allow fuel to return to the AST in the event that the transfer pump does not shut down.
	Structural Failure or Vandalism	* 0 to 1000 ** 0 to ~75	Variable, depending on the extent of damage.	Same as above.	Can be minimized through routine inspections, maintenance and by the adherence to good security practices.

Notes: a Based on a maximum pumping rate of 80 gallons per minute from the fill truck and a maximum of 30 seconds to turn off the pump.
b Approximate maximum pumping rate of fill truck.
* Steel, 1000-gallon tank mounted outside on a concrete pad.
** One rectangular steel day tank mounted in a catch basin under the generator

Table 2. Potential Spill Sources and Volumes (cont.)

Source	Event	Potential Spill Volume (gallons)	Estimated Rate (gallons per minute)	Direction of Spill Flow	Remarks
RDA ASTs (2), 229.8 gal. each for a total of 459.6 gallons	Overfilling or a ruptured hose during fueling.	0 to 40 ^a	80 ^b	Into the surrounding gravel/sand substrate. Very little grade in this area.	Spills of this nature would largely remain in the gravel and sand around the tank area.
	Structural Failure	0-459.6	Variable depending on the nature of the failure.	Into the secondary containment of the building.	Low probability event that both primary and secondary tank shells would fail. Can be minimized by routine inspections.
	Earthquake damage.	0-459.6	Variable depending on the nature of the damage.	Into the secondary containment of the building.	Low probability. Santa Teresa is in a moderate-risk earthquake zone. However, in the event of severe earthquake damage the integrity of the secondary containment could be compromised.
	Structural Failure or Vandalism	0-459.6	Variable, depending on the extent of damage.	Into the secondary containment of the building.	Can be minimized through routine inspections, maintenance and by the adherence to good security practices.

Notes: a Based on a maximum pumping rate of 80 gallons per minute from the fill truck and a maximum of 30 seconds to turn off the pump.
 b Approximate maximum pumping rate of fill truck.

APPENDIX A

A-1 TANK ULLAGE AND FUELING LOG

A-2 FUEL UNLOADING PROCEDURE CHECKLIST

APPENDIX A-1

TANK ULLAGE AND FUELING LOG

Station Name: _____

Tank Capacity: _____ (gallons)

Date	Initials	Gauge Reading	Initial Volume of Fuel in Tank ^a	Available Capacity or Ullage ^b (gallons)	Quantity Added (gallons)	Comments

Notes: a From gauge reading

b Available capacity = tank capacity (900-gallons) – initial volume of fuel in tank

APPENDIX A-2

FUEL UNLOADING PROCEDURE CHECKLIST

Station Name: _____

Date: _____ Tank: _____

NWS Rep: _____ Supplier: _____

X	Item	Description	Comments
The following six items must be completed BEFORE fuel unloading.			
	1	Ensure the audible high-level alarm system and automatic shutoff valve are functioning properly.	
	2	Determine the available capacity (ullage) of the above ground storage tanks (AST) by converting the reading on the fuel gauge to gallons (See Appendix A, Page A-1). This ullage should then be marked in the fueling log and communicated to the tank truck unloading contractor.	
	3	Move spill containment equipment such as booms or spill barriers into the unloading area.	
	4	Block the wheels of the tank truck.	
	5	Place drip pans under all pump hose fittings (if applicable) after the hose is hooked up to the AST and before unloading.	
	6	Ensure the fill nozzle is in place in the appropriate AST appurtenance. In this case, the fill nozzle is placed in the fill pipe connected to the round spill container.	
The following two items must be completed DURING fuel unloading.			
	7	Ensure that the NWS representative and the tank truck operator remain with the vehicle at all times during unloading.	
	8	Monitor the gauges on the AST and the truck continuously to ensure the ullage is not exceeded. If the audible high-level alarm sounds, stop the unloading of fuel immediately.	
The following six items must be completed AFTER fuel unloading.			
	9	Record the amount of fuel unloaded in the log (Appendix 1, page A-1).	
	10	Before removing the fill hose from the AST, ensure that it is drained and that all drain valves are closed (if applicable).	
	11	Pour any fuel in the drip pans, tank truck containment pool, or spill container on the fill pipe into the AST (if it has the capacity) or dispose of appropriately (describe how it was disposed of, if applicable).	
	12	Inspect the tank truck before removing the blocks to ensure the lines have been disconnected from the AST.	
	13	Remove the blocks from the tank truck wheels.	
	14	Place a copy of this fuel-unloading checklist in the SPCC Plan folder.	

Additional Comments Below:

APPENDIX B

B-1 MONTHLY INSPECTION CHECKLIST

B-2 ANNUAL INSPECTION CHECKLIST

APPENDIX B-1

MONTHLY INSPECTION CHECKLIST

Site Name:		Tank Name or Number:	
Date of Inspection:		Inspected by:	
Date of Last Inspection:		Signature:	
A. TANKS	YES	NO	NOTES
Are there any oil stains on the outside of the tank, including the underside?			
Is there any oil on the ground, concrete, or asphalt around the tank?			
Are there any visible cracks or indications of corrosion on the tank, at fittings, joints, or seals? (Such as paint peeling or rust spots)			
Are there any raised spots, dents, or cracks on the tank?			
Does it appear that the foundation has shifted or settled?			
Is the fuel gauge working properly?			
Are all vents clear so they may operate properly?			
If rainwater is present in secondary containment area, does sufficient volume remain for spill control? (if applicable)			
B. PIPING	YES	NO	NOTES
Is there any oil on the outside of or under any aboveground piping, hoses, fittings, or valves?			
Are aboveground piping, hoses, fittings, or valves in good working condition?			
C. SECURITY/SAFETY/SPILL COUNTERMEASURES	YES	NO	NOTES
Are lights working properly to detect a spill at night?			
Are all locks in the "lock" position?			
Are all warning signs properly posted and readable?			
Are vehicle guard posts in place and properly secured? (if applicable)			
Are spill kits easily accessible, protected from the weather, and complete?			

CORRECTIVE ACTIONS REQUIRED (explain below):

APPENDIX B-2

ANNUAL INSPECTION CHECKLIST

Site Name:		Tank Name or Number:	
Date of Inspection:		Inspected by:	
Date of Last Inspection:		Signature:	
A. MONTHLY CHECKLIST	YES	NO	NOTES
Have Monthly Inspection checklists been completed?			
B. TANKS			
Are all alarms and automatic shutoff devices working properly?			
Is interstitial monitor functioning properly? (if applicable)			
C. OTHER			

CORRECTIVE ACTIONS REQUIRED (explain below):

APPENDIX C

C-1 TRAINING OUTLINE

C-2 TRAINING RECORD

APPENDIX C-1

TRAINING OUTLINE: SPILL PREVENTION, CONTROL AND COUNTERMEASURES

Training will be provided for facility personnel at the following times:

1. System startup or whenever new equipment is installed
2. Within the first week of employment for new personnel
3. Annually

The training will include complete instruction in the elements of the facility's Spill Prevention, Control, and Countermeasure Plan and will include the following:

1. Pollution control laws, rules, and regulations including a summary of Title 40 of the Code of Federal Regulations Part 112 "Oil Pollution Prevention" (see Attachment)
2. Fuel Storage System
 - A. Purpose and application of the following system elements:
 - Tanks
 - Piping
 - Pumps
 - Accessory equipment
 - Electronic monitors
 - B. Operation, maintenance, and inspection of system elements
3. Spill Prevention
 - A. Potential spill sources
 - B. Spill flow direction and impact on navigable waters
 - C. Procedures to prevent spills, especially during fuel unloading
4. Spill Control
 - A. Secondary containment
 - B. Safety valves
 - C. Pump and equipment shutoff switches
 - D. Use of catch basin inlet covers or other diversionary devices
5. Spill Countermeasures
 - A. Location and use of emergency phone numbers
 - B. Location and use of fire extinguishers
 - C. Location and use of spill cleanup kit
 - D. Implementing SWIMS procedure

APPENDIX C-2

TRAINING RECORD

NOTE: SPCC TRAINING IS REQUIRED ANNUALLY

Site name: _____

Date of Training	Employee Trained	Trainer	Remarks

APPENDIX D

D-1 SPILL RESPONSE EXERCISE RECORD

D-2 SPILL REPORTING FORM

APPENDIX D-1

SPILL RESPONSE EXERCISE RECORD

NOTE: *A SPILL RESPONSE EXERCISE WILL BE CONDUCTED ANNUALLY AND RECORDED BELOW.*

Site name: _____

Date of Exercise	Signature of Environmental Focal Point	Remarks

Guidelines for conducting a “SPILL RESPONSE EXERCISE”:

- Review PART III (SPILL COUNTERMEASURES AND REPORTING) of this plan
- Review the information required on the “SPILL REPORTING FORM” (Page D-2)
- Verify the telephone numbers shown on the “SPILL REPORTING FORM” (Page D-2)
- Record the Date of the Exercise and the Signature of the Environmental Focal Point

APPENDIX D-2

SPILL REPORTING FORM (Form Dated 02/05)

1. GENERAL		
Name of Facility:	Address:	
Completed by:	Organization: National Weather Service	
Position:	Phone:	
2. SPILL INFORMATION		
Date:	Time:	
Location at Facility:	Quantity:	
Substance Spilled:	Other:	
3. OUTSIDE NOTIFICATIONS		
Agencies	Recorder at Outside Agency	Date and Time
Call 911 (or the local emergency agency), if there is an immediate emergency.		
NWS/NOAA: Mike Jacob, (301) 713-1838 ext. 165 Olga Kebis, (301) 713-1838 ext. 173 Terry Brisbin, (817) 978-2644 x139 Mark George, (303) 497-3064		
EPA National Response Center, or U.S. Coast Guard: (800) 424-8802		
<u>List Additional State and Local Agencies below:</u>		
4. INFORMATION ON SOURCE AND CAUSE:		
5. DESCRIPTION OF ENVIRONMENTAL DAMAGE:		
6. CLEANUP ACTION(S) TAKEN:		
7. CORRECTIVE ACTION(S) TO PREVENT FUTURE SPILLS:		

Note: - All information must be filled in. If something is unknown, write “unknown.”
 - Copies must be sent to the NWS/NOAA personnel listed above.

APPENDIX E

CROSS REFERENCE OF THE REQUIREMENTS OF TITLE 40 OF THE CODE OF FEDERAL REGULATIONS, SECTION 112 WITH THIS PLAN

APPENDIX E

CROSS REFERENCE OF THE REQUIREMENTS OF 40 CFR 112 AND THIS PLAN

CFR Citation	Item	Plan Location
112.1(d)(2)(ii)	Criteria for need of an SPCC Plan	Table 1
112.4(a)	Reporting of Spills – Federal Notifications	Part III, B
112.4(c)	Reporting of Spills – State Notifications	Part III, B
112.5(b)	SPCC Plan review and amendment requirements – 5 year max.	Page ii
112.5(c)	PE Certification of Technical Amendments	Page i
112.7	SPCC Plan – full approval by management	Page i; Appendix E
112.7(a)(1)	Discussion of Facility Conformance	Part I, B.6
112.7 (a) (3)	Facility Description and Diagrams	Part I, A and B; Appendix K
112.7 (a) (3) (i)	Type of Oil and Storage Capacity	Part I, B.7; Table 1
112.7 (a) (3)(ii)	Discharge Prevention Measures	Part II
112.7(a)(3)(iii)	Discharge and Drainage Controls	Parts II and III
112.7 (a)(3)(iv)	Countermeasures for Discovery, Response and Cleanup	Part III
112.7 (a)(3) (v)	Methods of Disposal	Part III, B.5
112.7 (a) (3)(vi)	Contact List and Phone Numbers	Part III, B; Appendix D-2
112.7 (a)(4)	Spill Reporting Form	Appendix D-2
112.7 (a)(5)	Procedures In Event of Discharge	Part III, A; Appendix D-2
112.7 (b)	Flow Prediction Information	Table 2 and Appendix K
112.7 (c)	Secondary Containment	Part II, A.1 & and A.2
112.7(c)(1)(vii)	Sorbent Materials	Part III, B.2; Appendix G
112.7(d)	Commitment of Manpower and Equipment	Part III, B
112.7 (e)	Inspections, Tests and Records	Part II, A.2; Appendix B
112.7(f)	Training	Part II, A.5; Appendix C
112.7 (g)(5)	Lighting	Part III, A.4
112.7(j)	State Rules, Regulations and Guidelines	Part III, B
112.8(c)(6)	Container Testing	Part II, A; Appendix B

APPENDIX F

MATERIAL SAFETY DATA SHEET (MSDS)



NAVAJO REFINING COMPANY, L.P.

PO BOX 159

ARTESIA, NM 88211-0159

(505) 748-3311, (505) 365-8364, (505) 365-8365 (24 Hours)

MATERIAL SAFETY DATA SHEET

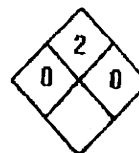
EMERGENCY PHONE NUMBERS:

CHEMTREC: 1-800-424-9300 (for fire, spill and emergency response information)
 NEW MEXICO POISON INFORMATION CENTER: 1-800-432-6866 (for poisoning)
 TEXAS (EL PASO) POISON INFORMATION CENTER: (915) 533-1244 (for poisoning)
 ARIZONA POISON INFORMATION CENTER: 1-800-362-0101 or (602) 253-3334 (for poisoning)

LOW SULFUR DIESEL FUEL

SECTION 1 - PRODUCT IDENTIFICATION

PRODUCT NAME: DIESEL FUEL CAS NUMBER: 68476-34-6
 CHEMICAL FAMILY: Petroleum Hydrocarbon FORMULA: $C_{10}H_{22}-C_{16}H_{34}$



NFPA 704 SYMBOL

SYNONYMS: Diesel Fuel #2, Petroleum Distrillate, Diesel, #2 Fuel Oil
 NA 1993, Highway Diesel, Off Road Diesel (if dyed red).

SECTION 2 - HAZARDOUS INGREDIENTS

HAZARDOUS COMPONENTS	APPROX.					
	CAS NO.	VOL%	TLV	STEL	PEL (OSHA)	IDLH
DIESEL FUEL (containing)	68476-34-6	99	NA	NA	NA	NA
Naphalene	91-20-3	1	10 ppm	NA	10 ppm	250

OTHER INGREDIENT INFORMATION:

Sulfur in the form of mercaptans or hydrogen sulfide may be present greater than 0.05% by weight.

SECTION 3 - PHYSICAL DATA

BOILING POINT: -315-575°F
 VAPOR PRESSURE: @100°F 25mm Hg
 VAPOR DENSITY (AIR=1): N/A
 SOLUBILITY IN WATER: Insoluble
 ODOR THRESHOLD: N/A
 APPEARANCE AND ODOR: Clear to yellow liquid. Oily, petroleum odor. May be dyed red in off road usage (agricultural, mining, etc.).

SPECIFIC GRAVITY (WATER=1): 0.7-0.8
 % VOLATILE BY VOLUME: N/A
 EVAPORATION RATE: No data available
 AUTOIGNITION TEMP: 490-546°F

LOW SULFUR DIESEL FUEL

SECTION 4 - FIRE AND EXPLOSION HAZARD DATA

CLASSIFICATION: CLASS II, COMBUSTIBLE LIQUID

FLASH POINT: 140° (PMCC)

FLAMMABLE LIMITS: LEL = 0.7% UEL = 5.0%

EXTINGUISHING MEDIA: Foam dry chemical, carbon dioxide, Halon.

SPECIAL FIRE FIGHTING PROCEDURES: Move container from fire area if possible. Use water to keep fire exposed container cool. Use foam for spill control.

UNUSUAL FIRE AND EXPLOSION HAZARDS: Evacuate a radius of 800 feet for uncontrolled fires. Vapors are heavier than air and may travel great distances and flash back.

NFPA FIRE = 2 (moderate)

SECTION 5 - REACTIVITY DATA

STABILITY: Stable

HAZARDOUS POLYMERIZATION: Will not occur

CONDITIONS TO AVOID/INCOMPATIBILITY: Strong oxidizers

HAZARDOUS DECOMPOSITION PRODUCTS: Carbon monoxide, carbon dioxide and sulfur dioxide..

NFPA REACTIVITY = 0 (minimal)

SECTION 6 - HEALTH HAZARD DATA

ROUTES OF ENTRY: Inhalation, ingestion, skin contact.

HEALTH HAZARDS: Irritant/Narcotic. Depression of central nervous system ranging from headaches to death. Kidney and liver damage possible. Aspiration into lungs can cause severe lung damage leading to pulmonary edema and bronchial pneumonia.

CARCINOGENICITY: Inadequate evidence as a human carcinogen. Limited evidence as an animal carcinogen. Not listed by NTP. IARC Class-2B. Recent studies have shown diesel exhaust to be potentially carcinogenic.

SIGNS AND SYMPTOMS OF EXPOSURE: Respiratory tract irritation. May cause nausea, cramping, headaches, coughing or gagging and depression of the central nervous system.

EMERGENCY AND FIRST AID PROCEDURES

INGESTION: DO NOT induce vomiting. Immediately seek medical attention. Give water to dilute, if conscious.

INHALATION: Maintain respirations, assist with artificial respiration if needed and give oxygen if available and trained to do so. Seek medical attention. If liquid is in lungs (aspirated) seek medical care.

EYES: Flush eyes with water for at least 15 minutes. Seek medical attention.

SKIN: Remove diesel soaked clothing. Wash skin with soap and water. If irritation Persists seek medical attention.

NFPA HEALTH = 0 (minimal)

HIGH SULFUR DIESEL FUEL

SECTION 7 - PRECAUTIONS FOR SAFE HANDLING AND USE

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED: Eliminate all sources of ignition. Contain spill. Use water fog to suppress vapor cloud. Use SCBA to avoid breathing vapors. Absorb liquid with sand or clay.

WASTE DISPOSAL: Dispose in accordance with RCRA regulations. Do not put in sewers or any water course.

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE: All equipment and storage containers should be properly grounded. This material is subject to OSHA and DOT regulation. Portable metal containers should be bonded to the storage container before transferring liquid.

OTHER PRECAUTIONS: Avoid breathing vapors. Vapors may be explosive. Do not weld on containers unless properly cleaned and purged using safe work procedures. Trace amounts of hydrogen sulfide may be present in the product. Accumulation of hydrogen sulfide may occur in vapor spaces of confined spaces where this product is handled, stored or used.

SECTION 8 - ENVIRONMENTAL AND SPECIAL PROTECTION INFORMATION

RESPIRATORY PROTECTION: Use NIOSH\MSHA approved respiratory protection in areas exceeding exposure limits, the type to be determined by the degree of exposure.

VENTILATION: Use in well ventilated area or provide ventilation to limit exposure to acceptable levels.

EYE/SKIN PROTECTION: Rubber gloves, face shields, goggles or safety glasses with side shields, coveralls.

WORK/HYGIENIC PRACTICES: Remove contaminated clothing as soon as possible. Always wash after handling hazardous chemicals.

NOTICE: This product contains a toxic chemical or chemicals subject to the reporting requirements of Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 and 40 CFR Part 372.

REFER TO DEPARTMENT OF TRANSPORTATION (DOT) EMERGENCY RESPONSE GUIDEBOOK GUIDE 128 FOR ADDITIONAL EMERGENCY INFORMATION.

This information is believed to be accurate and as reliable as information available to us. We make no warranty or guarantee as to its accuracy and assume no liability from its use. Users should determine the suitability of the information for their particular purposes.

APPENDIX G

SPILL CLEANUP KIT INFORMATION

Product Data Sheet

Item Number: KITR202

Item Name: PIG® Spill Kit in a 95-gallon Overpak Salvage Drum - MRO refill

Absorbency

•61 gal./each (230.9 L/each)

Options Available											
Item #	Size	Color	Misc. Features	Amount	Length	Width	Height	Depth	Int. Dia.	Ext. Dia.	Weight
KITR202	—	—	—	1 each	—	—	—	—	—	—	89lbs. (40.4kg)

Description

Replacement contents for a container with a variety of absorbents for responding to spills of oils, coolants, solvents, and water.

Application

To be used to replace components used in KIT202 and KIT224

Features and Benefits

- Prepackaged/Easy to replace the contents of the original 95 gallon (360 L) spill kit (KIT202)
- Variety of absorbents/An assortment of absorbent products to handle non-aggressive spills up to 61 gallons (231 L)

Composition

- PIG® BLUE Socks: polypropylene and magnesium aluminosilicate
- PIG® Pillows: polypropylene and cellulose fibers
- PIG® Mats: polypropylene

This product helps you comply with:	
Regulatory Citation	Summary

Kit Components		
Qty.	Description	Component Refill Item Number
16	48" PIG® BLUE Socks	4048
10	10' PIG® BLUE Socks	PIG202
60	PIG® Universal Mat Pads	MAT203
8	PIG® Pillows	PIL201
50	PIG® Wipers	WIP310
10	Temporary Disposal Bags and Ties	BAG201-L
1	Emergency Response Guidebook	N/A
1	Instructions	N/A
6	Tamperproof Seals	N/A
40 CFR 112.7(c)(1)(vii)		Spill Prevention Control and Countermeasures (SPCC) plans require facilities that have the potential to pollute waterways to have, "appropriate containment and / or diversionary structures or equipment to prevent discharge oil from reaching a navigable water course."

APPENDIX H

PERMITS

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APPENDIX I
PHOTOGRAPH LOG AND PHOTOGRAPHS

APPENDIX I

PHOTOGRAPHIC LOG

Photo #	Date	Description
01	8/31/04	WFO Main Generator.
02	8/31/04	WFO Main Generator's Day Tank and Catch Basin.
03	8/31/04	Black pipe leading from the AST to the WFO Main Generator.
04	8/31/04	WFO AST with Spill Kits.
05	8/31/04	WFO AST.
06	8/31/04	WFO AST with PVC-sheathed pipe Leading to Generator (facing east).
07	8/31/04	High-Level and interstitial audible alarm system.
08	8/31/04	WFO Main Generator Building and AST.
09	8/31/04	RDA Generator Building within fenced compound.
10	8/31/04	RDA ASTs' filling port.
11	8/31/04	RDA ASTs.
12	8/31/04	RDA ASTs' filling port and ventilation ducts.
13	8/31/04	RDA Generator Building's secondary containment.
14	8/31/04	Locked door to RDA generator space.
15	8/31/04	WFO AST's filling port (inside of overfill basin).
16	8/31/04	WFO AST's shutoff valve to the generator.



Photo 01. WFO Main Generator.

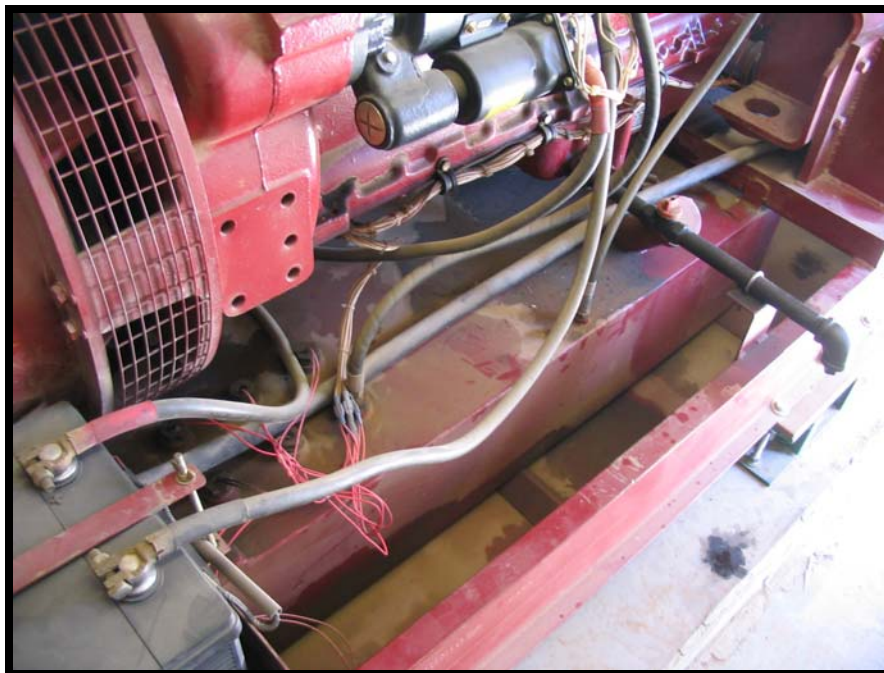


Photo 02. WFO Main Generator's Day Tank and Catch Basin.



Photo 03. Black Pipe Leading from the AST to the WFO Main Generator.



Photo 04. WFO AST with Spill Kits.



Photo 05. WFO AST.



Photo 06. WFO AST with PVC-Sheathed Pipe Leading to Generator (Facing East).



Photo 07. High-Level and Interstitial Audible Alarm System.



Photo 08. WFO Main Generator Building and AST (Photographed from NEXRAD Tower).



Photo 09. RDA Generator Building within Fenced Compound.



Photo 10. RDA ASTs Filling Port.



Photo 11. RDA ASTs (229.8 gallons each).



Photo 12. RDA Generator's Filling Port and Ventilation Ducts.



Photo 13. RDA Generator Building's Secondary Containment (9 inches from floor to sill).



Photo 14. Locked Door to RDA Generator Space.



Photo 15. WFO AST's Filling Port (w/overflow basin).



Photo 16. WFO AST's Shutoff Valve to the Generator.

APPENDIX J

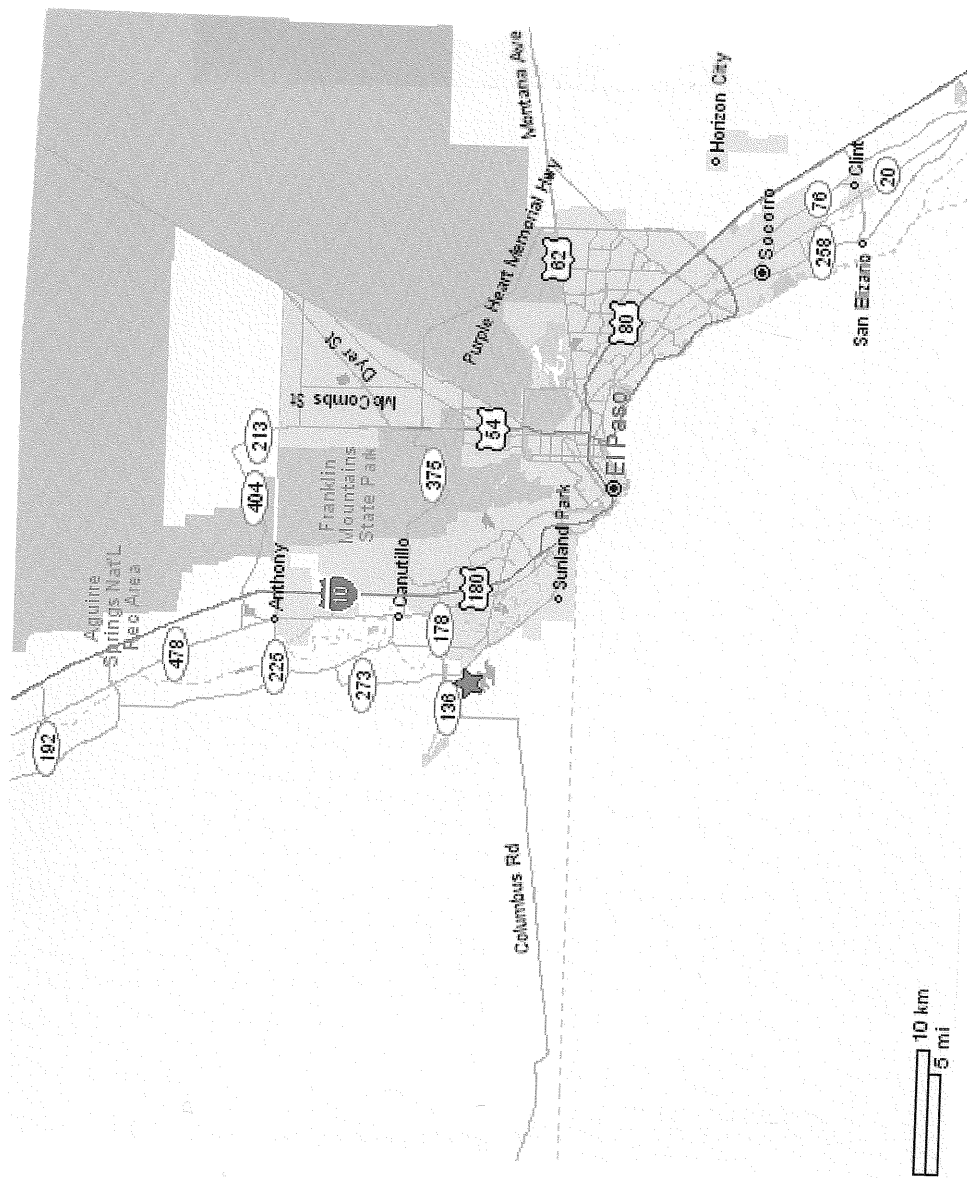
FIGURE 1 MAP OF AREA

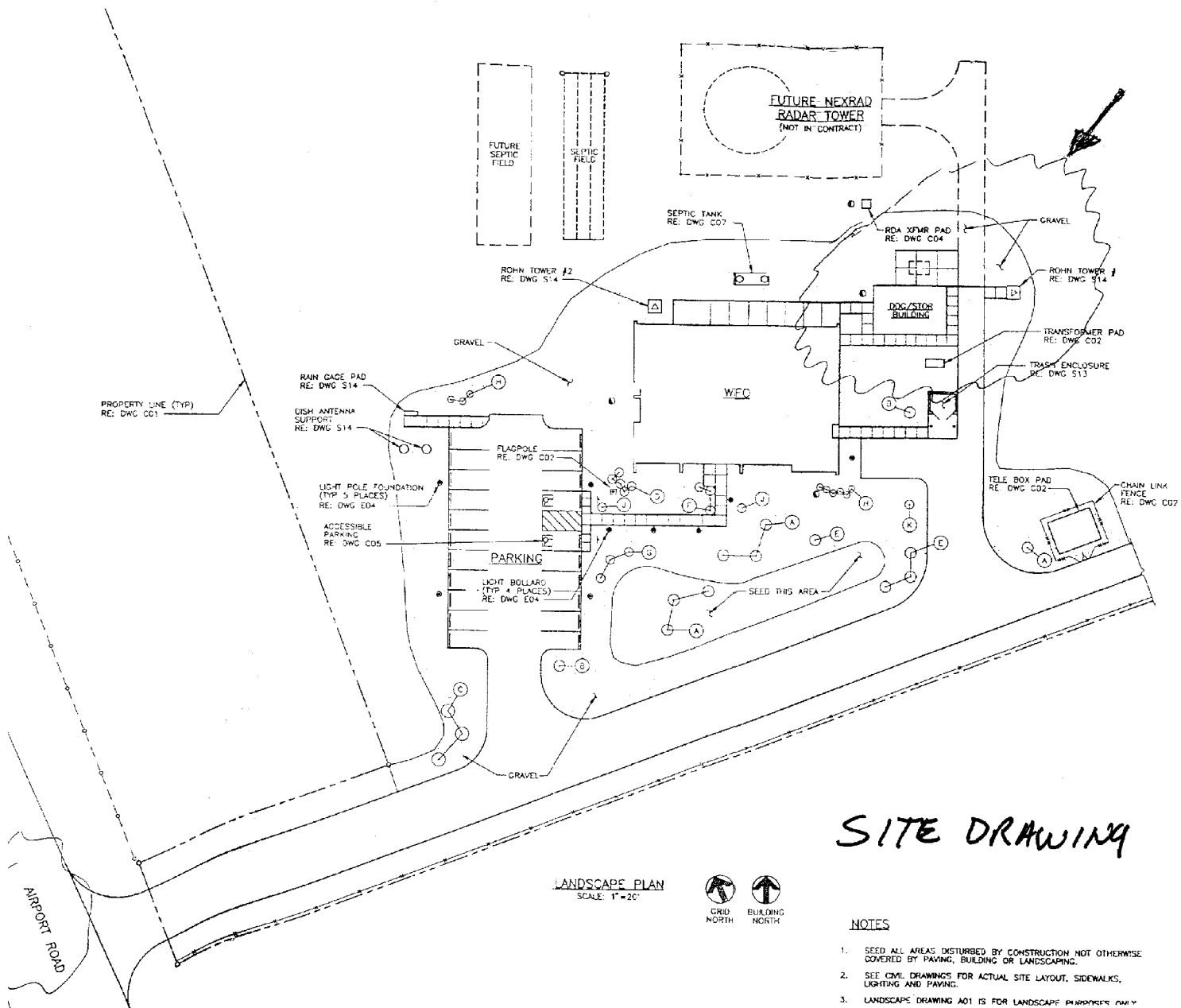
FIGURE 2 SITE DRAWING

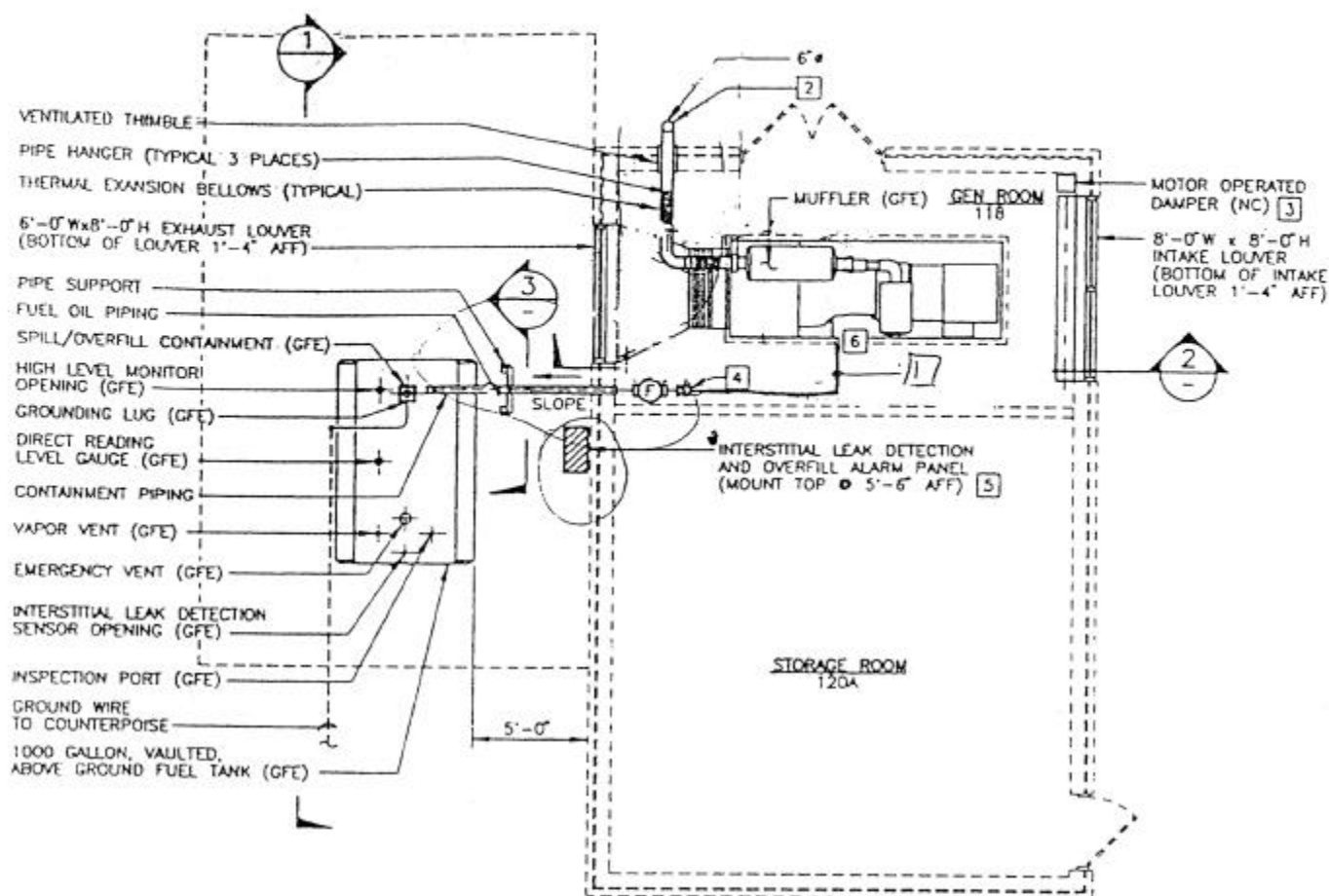
FIGURE 3 WFO AST AND GENERATOR DIAGRAM

FIGURE 4 RDA SPACE DIAGRAM

**FIGURE 5 TOPOGRAPHIC MAP & DISTANCE TO THE
RIO GRANDE**





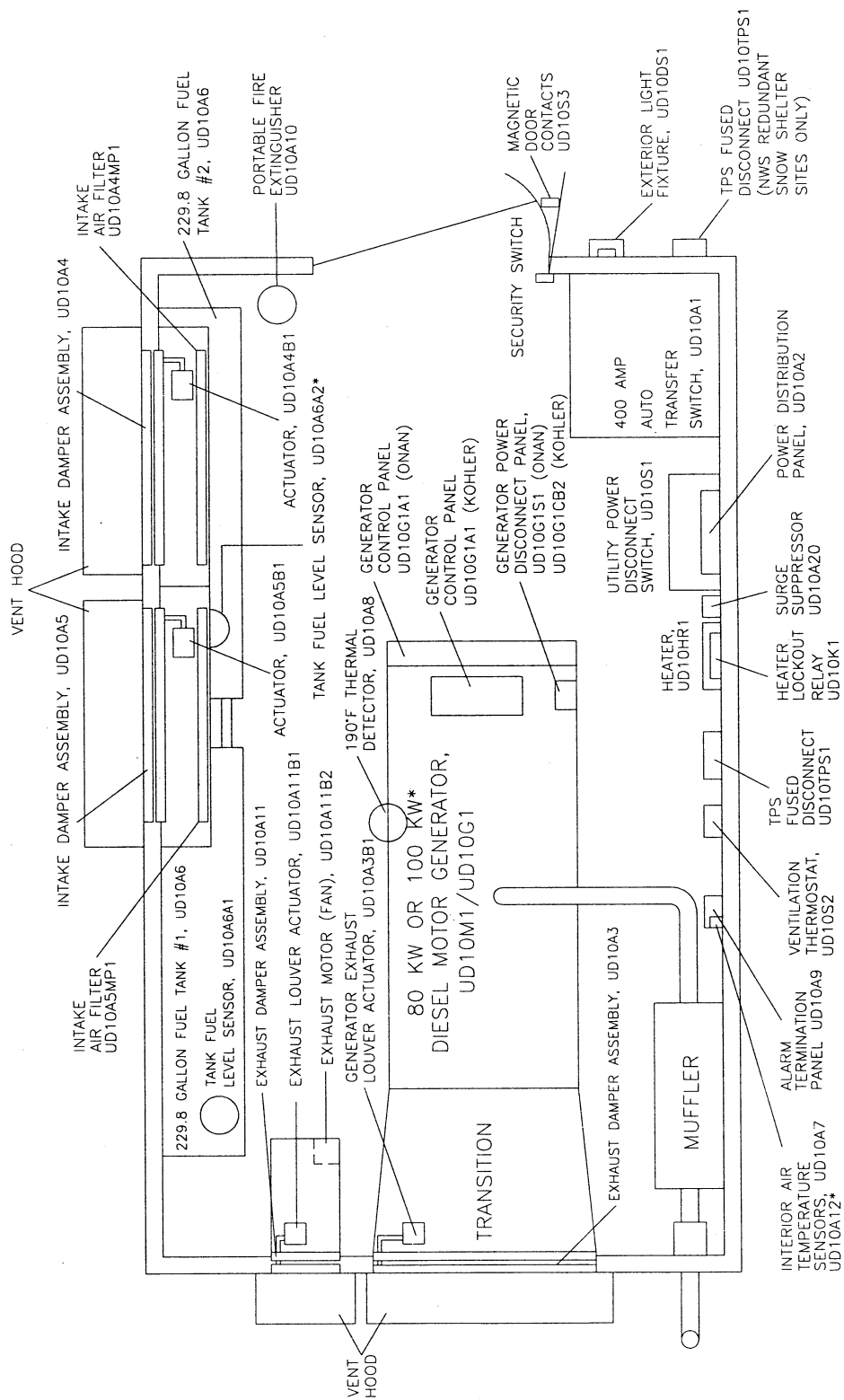


DIESEL DRIVEN GENERATOR/FUEL TANK PLAN

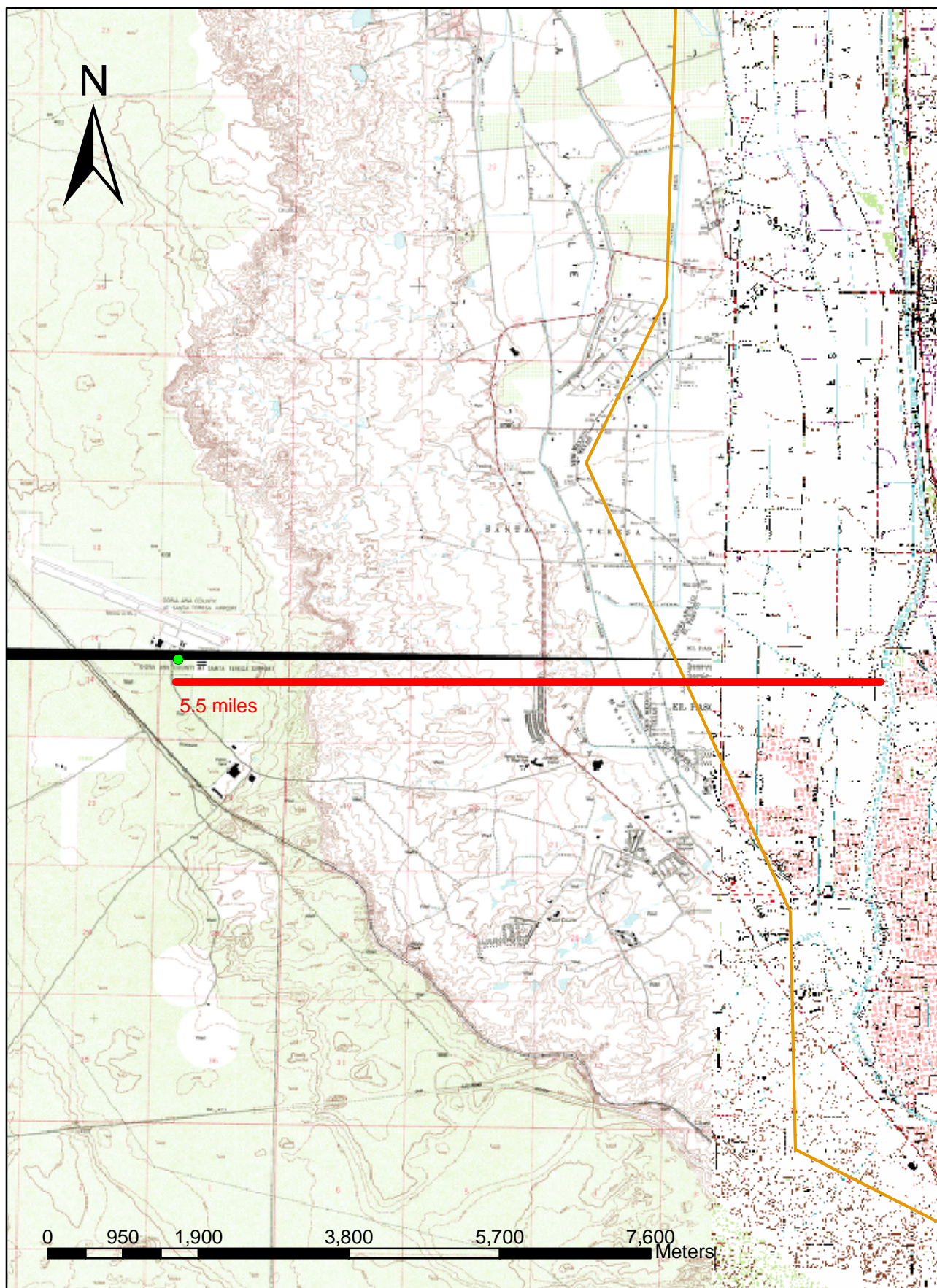
SCALE: 1/4" = 1'-0"

NOTES

- [1] ROUTE FUEL OIL PIPE ON FLOOR WITH CHANNELS AND HOLDER CLIPS. CONNECT TO DAY TANK WITH FLEXIBLE PIPE CONNECTION AND SHUT-OFF VALVE.
- [2] TURN EXHAUST PIPE UP AND INSTALL RAIN CAP (GFE). TERMINATE EXHAUST PIPE 2'-0" ABOVE PARAPET.
- [3] MOTOR OPERATED DAMPER (NORMALLY MOTOR CLOSED, SPRING TO OPEN). INTERLOCK DAMPER WITH GENERATOR CONTROL PANEL LOCATED IN GENERATOR ROOM. THE DAMPER SHALL OPEN WHEN THE GENERATOR IS STARTED.
- [4] INSTALL FUEL FILTER, THEN ANTI-SYPHON VALVE IN FUEL OIL PIPING AFTER ENTRANCE TO BUILDING WHERE PIPE TURNS DOWN TO FLOOR.
- [5] ROUTE CONTROL WIRING IN CONDUIT TO ALARM PANEL.
- [6] EXTEND LUBE OIL DRAIN LINE ON DOG WITH COUPLING, 4" LONG NIPPLE AND CAP TO FACILITATE MAINTENANCE (COORDINATE WITH GFE EQUIPMENT REQUIREMENTS).



* REDUNDANT SITES



ATTACHMENTS

ATTACHMENT 1 40 CFR § 112



Federal Register

Wednesday,
July 17, 2002

Part II

Environmental Protection Agency

40 CFR Part 112

Oil Pollution Prevention and Response;
Non-Transportation-Related Onshore and
Offshore Facilities; Final Rule

112 of the Code of Federal Regulations, is amended as follows:

PART 112—OIL POLLUTION PREVENTION

1. The authority for part 112 continues to read as follows:

Authority: 33 U.S.C. 1251 *et seq.*; 33 U.S.C. 2720; E.O. 12777 (October 18, 1991), 3 CFR, 1991 Comp., p. 351.

2. Part 112 is amended by designating §§ 112.1 through 112.7 as subpart A, adding a subpart heading and revising newly designated subpart A to read as follows:

Subpart A—Applicability, Definitions, and General Requirements For All Facilities and All Types of Oils

Sec.

112.1 General applicability.

112.2 Definitions.

112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.

112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.

112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.

112.6 [Reserved].

112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils

§ 112.1 General applicability.

(a)(1) This part establishes procedures, methods, equipment, and other requirements to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act).

(2) As used in this part, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa, as the case may require.

(b) Except as provided in paragraph (d) of this section, this part applies to any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing,

processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act) that has oil in:

(1) Any aboveground container;

(2) Any completely buried tank as defined in § 112.2;

(3) Any container that is used for standby storage, for seasonal storage, or for temporary storage, or not otherwise “permanently closed” as defined in § 112.2;

(4) Any “bunkered tank” or “partially buried tank” as defined in § 112.2, or any container in a vault, each of which is considered an aboveground storage container for purposes of this part.

(c) As provided in section 313 of the Clean Water Act (CWA), departments, agencies, and instrumentalities of the Federal government are subject to this part to the same extent as any person.

(d) Except as provided in paragraph (f) of this section, this part does not apply to:

(1) The owner or operator of any facility, equipment, or operation that is not subject to the jurisdiction of the Environmental Protection Agency (EPA) under section 311(j)(1)(C) of the CWA, as follows:

(i) Any onshore or offshore facility, that due to its location, could not reasonably be expected to have a discharge as described in paragraph (b) of this section. This determination must be based solely upon consideration of the geographical and location aspects of the facility (such as proximity to navigable waters or adjoining shorelines, land contour, drainage, etc.) and must exclude consideration of manmade features such as dikes, equipment or other structures, which may serve to restrain, hinder, contain, or otherwise prevent a discharge as described in paragraph (b) of this section.

(ii) Any equipment, or operation of a vessel or transportation-related onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation, as defined in the Memorandum of

Understanding between the Secretary of Transportation and the Administrator of EPA, dated November 24, 1971 (Appendix A of this part).

(iii) Any equipment, or operation of a vessel or onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation or the U.S. Department of the Interior, as defined in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (Appendix B of this part).

(2) Any facility which, although otherwise subject to the jurisdiction of EPA, meets both of the following requirements:

(i) The completely buried storage capacity of the facility is 42,000 gallons or less of oil. For purposes of this exemption, the completely buried storage capacity of a facility excludes the capacity of a completely buried tank, as defined in § 112.2, and connected underground piping, underground ancillary equipment, and containment systems, that is currently subject to all of the technical requirements of part 280 of this chapter or all of the technical requirements of a State program approved under part 281 of this chapter. The completely buried storage capacity of a facility also excludes the capacity of a container that is “permanently closed,” as defined in § 112.2.

(ii) The aggregate aboveground storage capacity of the facility is 1,320 gallons or less of oil. For purposes of this exemption, only containers of oil with a capacity of 55 gallons or greater are counted. The aggregate aboveground storage capacity of a facility excludes the capacity of a container that is “permanently closed,” as defined in § 112.2.

(3) Any offshore oil drilling, production, or workover facility that is subject to the notices and regulations of the Minerals Management Service, as specified in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (Appendix B of this part).

(4) Any completely buried storage tank, as defined in § 112.2, and connected underground piping, underground ancillary equipment, and containment systems, at any facility, that is subject to all of the technical requirements of part 280 of this chapter or a State program approved under part 281 of this chapter, except that such a tank must be marked on the facility diagram as provided in § 112.7(a)(3), if

the facility is otherwise subject to this part.

(5) Any container with a storage capacity of less than 55 gallons of oil.

(6) Any facility or part thereof used exclusively for wastewater treatment and not used to satisfy any requirement of this part. The production, recovery, or recycling of oil is not wastewater treatment for purposes of this paragraph.

(e) This part establishes requirements for the preparation and implementation of Spill Prevention, Control, and Countermeasure (SPCC) Plans. SPCC Plans are designed to complement existing laws, regulations, rules, standards, policies, and procedures pertaining to safety standards, fire prevention, and pollution prevention rules. The purpose of an SPCC Plan is to form a comprehensive Federal/State spill prevention program that minimizes the potential for discharges. The SPCC Plan must address all relevant spill prevention, control, and countermeasures necessary at the specific facility. Compliance with this part does not in any way relieve the owner or operator of an onshore or an offshore facility from compliance with other Federal, State, or local laws.

(f) Notwithstanding paragraph (d) of this section, the Regional Administrator may require that the owner or operator of any facility subject to the jurisdiction of EPA under section 311(j) of the CWA prepare and implement an SPCC Plan, or any applicable part, to carry out the purposes of the CWA.

(1) Following a preliminary determination, the Regional Administrator must provide a written notice to the owner or operator stating the reasons why he must prepare an SPCC Plan, or applicable part. The Regional Administrator must send such notice to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of such notice to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(2) Within 30 days of receipt of such written notice, the owner or operator may provide information and data and may consult with the Agency about the need to prepare an SPCC Plan, or applicable part.

(3) Within 30 days following the time under paragraph (b)(2) of this section within which the owner or operator may provide information and data and consult with the Agency about the need to prepare an SPCC Plan, or applicable part, the Regional Administrator must make a final determination regarding

whether the owner or operator is required to prepare and implement an SPCC Plan, or applicable part. The Regional Administrator must send the final determination to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of the final determination to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(4) If the Regional Administrator makes a final determination that an SPCC Plan, or applicable part, is necessary, the owner or operator must prepare the Plan, or applicable part, within six months of that final determination and implement the Plan, or applicable part, as soon as possible, but not later than one year after the Regional Administrator has made a final determination.

(5) The owner or operator may appeal a final determination made by the Regional Administrator requiring preparation and implementation of an SPCC Plan, or applicable part, under this paragraph. The owner or operator must make the appeal to the Administrator of EPA within 30 days of receipt of the final determination under paragraph (b)(3) of this section from the Regional Administrator requiring preparation and/or implementation of an SPCC Plan, or applicable part. The owner or operator must send a complete copy of the appeal to the Regional Administrator at the time he makes the appeal to the Administrator. The appeal must contain a clear and concise statement of the issues and points of fact in the case. In the appeal, the owner or operator may also provide additional information. The additional information may be from any person. The Administrator may request additional information from the owner or operator. The Administrator must render a decision within 60 days of receiving the appeal or additional information submitted by the owner or operator and must serve the owner or operator with the decision made in the appeal in the manner described in paragraph (f)(1) of this section.

§ 112.2 Definitions.

For the purposes of this part:

Adverse weather means weather conditions that make it difficult for response equipment and personnel to clean up or remove spilled oil, and that must be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height as specified in Appendix E to this part

(as appropriate), ice conditions, temperatures, weather-related visibility, and currents within the area in which the systems or equipment is intended to function.

Alteration means any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configuration of the container.

Animal fat means a non-petroleum oil, fat, or grease of animal, fish, or marine mammal origin.

Breakout tank means a container used to relieve surges in an oil pipeline system or to receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

Bulk storage container means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

Bunkered tank means a container constructed or placed in the ground by cutting the earth and re-covering the container in a manner that breaks the surrounding natural grade, or that lies above grade, and is covered with earth, sand, gravel, asphalt, or other material. A bunkered tank is considered an aboveground storage container for purposes of this part.

Completely buried tank means any container completely below grade and covered with earth, sand, gravel, asphalt, or other material. Containers in vaults, bunkered tanks, or partially buried tanks are considered aboveground storage containers for purposes of this part.

Complex means a facility possessing a combination of transportation-related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the CWA.

Contiguous zone means the zone established by the United States under Article 24 of the Convention of the Territorial Sea and Contiguous Zone, that is contiguous to the territorial sea and that extends nine miles seaward from the outer limit of the territorial area.

Contract or other approved means means:

(1) A written contractual agreement with an oil spill removal organization that identifies and ensures the availability of the necessary personnel and equipment within appropriate response times; and/or

(2) A written certification by the owner or operator that the necessary personnel and equipment resources, owned or operated by the facility owner or operator, are available to respond to a discharge within appropriate response times; and/or

(3) Active membership in a local or regional oil spill removal organization that has identified and ensures adequate access through such membership to necessary personnel and equipment to respond to a discharge within appropriate response times in the specified geographic area; and/or

(4) Any other specific arrangement approved by the Regional Administrator upon request of the owner or operator.

Discharge includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA; discharges resulting from circumstances identified, reviewed, and made a part of the public record with respect to a permit issued or modified under section 402 of the CWA, and subject to a condition in such permit; or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of this part, the term discharge shall not include any discharge of oil that is authorized by a permit issued under section 13 of the River and Harbor Act of 1899 (33 U.S.C. 407).

Facility means any mobile or fixed, onshore or offshore building, structure, installation, equipment, pipe, or pipeline (other than a vessel or a public vessel) used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and waste treatment, or in which oil is used, as described in Appendix A to this part. The boundaries of a facility depend on several site-specific factors, including, but not limited to, the ownership or operation of buildings, structures, and equipment on the same site and the types of activity at the site.

Fish and wildlife and sensitive environments means areas that may be identified by their legal designation or by evaluations of Area Committees (for planning) or members of the Federal On-Scene Coordinator's spill response structure (during responses). These areas may include wetlands, National and State parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine

reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild and scenic rivers, recreational areas, national forests, Federal and State lands that are research national areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

Injury means a measurable adverse change, either long- or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge, or exposure to a product of reactions resulting from a discharge.

Maximum extent practicable means within the limitations used to determine oil spill planning resources and response times for on-water recovery, shoreline protection, and cleanup for worst case discharges from onshore non-transportation-related facilities in adverse weather. It includes the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the requirements in § 112.20 or in a specific plan approved by the Regional Administrator.

Navigable waters means the waters of the United States, including the territorial seas.

(1) The term includes:

(i) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide;

(ii) All interstate waters, including interstate wetlands;

(iii) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce including any such waters:

(A) That are or could be used by interstate or foreign travelers for recreational or other purposes; or

(B) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(C) That are or could be used for industrial purposes by industries in interstate commerce;

(iv) All impoundments of waters otherwise defined as waters of the United States under this section;

(v) Tributaries of waters identified in paragraphs (1)(i) through (iv) of this definition;

(vi) The territorial sea; and

(vii) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraph (1) of this definition.

(2) Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds which also meet the criteria of this definition) are not waters of the United States. Navigable waters do not include prior converted cropland.

Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.

Non-petroleum oil means oil of any kind that is not petroleum-based, including but not limited to: Fats, oils, and greases of animal, fish, or marine mammal origin; and vegetable oils, including oils from seeds, nuts, fruits, and kernels.

Offshore facility means any facility of any kind (other than a vessel or public vessel) located in, on, or under any of the navigable waters of the United States, and any facility of any kind that is subject to the jurisdiction of the United States and is located in, on, or under any other waters.

Oil means oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.

Oil Spill Removal Organization means an entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources.

Onshore facility means any facility of any kind located in, on, or under any land within the United States, other than submerged lands.

Owner or operator means any person owning or operating an onshore facility or an offshore facility, and in the case of any abandoned offshore facility, the person who owned or operated or maintained the facility immediately prior to such abandonment.

Partially buried tank means a storage container that is partially inserted or constructed in the ground, but not entirely below grade, and not

completely covered with earth, sand, gravel, asphalt, or other material. A partially buried tank is considered an aboveground storage container for purposes of this part.

Permanently closed means any container or facility for which:

(1) All liquid and sludge has been removed from each container and connecting line; and

(2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.

Person includes an individual, firm, corporation, association, or partnership.

Petroleum oil means petroleum in any form, including but not limited to crude oil, fuel oil, mineral oil, sludge, oil refuse, and refined products.

Production facility means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil, or associated storage or measurement, and located in a single geographical oil or gas field operated by a single operator.

Regional Administrator means the Regional Administrator of the Environmental Protection Agency, in and for the Region in which the facility is located.

Repair means any work necessary to maintain or restore a container to a condition suitable for safe operation, other than that necessary for ordinary, day-to-day maintenance to maintain the functional integrity of the container and that does not weaken the container.

Spill Prevention, Control, and Countermeasure Plan; SPCC Plan, or Plan means the document required by § 112.3 that details the equipment, workforce, procedures, and steps to prevent, control, and provide adequate countermeasures to a discharge.

Storage capacity of a container means the shell capacity of the container.

Transportation-related and non-transportation-related, as applied to an onshore or offshore facility, are defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency, dated

November 24, 1971, (Appendix A of this part).

United States means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the U.S. Virgin Islands, and the Pacific Island Governments.

Vegetable oil means a non-petroleum oil or fat of vegetable origin, including but not limited to oils and fats derived from plant seeds, nuts, fruits, and kernels.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel.

Wetlands means those areas that are inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

Worst case discharge for an onshore non-transportation-related facility means the largest foreseeable discharge in adverse weather conditions as determined using the worksheets in Appendix D to this part.

§ 112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.

The owner or operator of an onshore or offshore facility subject to this section must prepare a Spill Prevention, Control, and Countermeasure Plan (hereafter "SPCC Plan" or "Plan"), in writing, and in accordance with § 112.7, and any other applicable section of this part.

(a) If your onshore or offshore facility was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, on or before February 17, 2003, and must implement the amended Plan as soon as possible, but not later than August 18, 2003. If your onshore or offshore facility becomes operational after August 16, 2002, through August 18, 2003, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare a Plan on or before August 18, 2003, and fully implement it as soon as possible, but not later than August 18, 2003.

(b) If you are the owner or operator of an onshore or offshore facility that becomes operational after August 18,

2003, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan before you begin operations.

(c) If you are the owner or operator of an onshore or offshore mobile facility, such as an onshore drilling or workover rig, barge mounted offshore drilling or workover rig, or portable fueling facility, you must prepare, implement, and maintain a facility Plan as required by this section. This provision does not require that you prepare a new Plan each time you move the facility to a new site. The Plan may be a general plan. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. You may not operate a mobile or portable facility subject to this part unless you have implemented the Plan. The Plan is applicable only while the facility is in a fixed (non-transportation) operating mode.

(d) A licensed Professional Engineer must review and certify a Plan for it to be effective to satisfy the requirements of this part.

(1) By means of this certification the Professional Engineer attests:

(i) That he is familiar with the requirements of this part;

(ii) That he or his agent has visited and examined the facility;

(iii) That the Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part;

(iv) That procedures for required inspections and testing have been established; and

(v) That the Plan is adequate for the facility.

(2) Such certification shall in no way relieve the owner or operator of a facility of his duty to prepare and fully implement such Plan in accordance with the requirements of this part.

(e) If you are the owner or operator of a facility for which a Plan is required under this section, you must:

(1) Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended, and

(2) Have the Plan available to the Regional Administrator for on-site review during normal working hours.

(f) *Extension of time.* (1) The Regional Administrator may authorize an extension of time for the preparation and full implementation of a Plan, or any amendment thereto, beyond the time permitted for the preparation, implementation, or amendment of a

Plan under this part, when he finds that the owner or operator of a facility subject to this section, cannot fully comply with the requirements as a result of either nonavailability of qualified personnel, or delays in construction or equipment delivery beyond the control and without the fault of such owner or operator or his agents or employees.

(2) If you are an owner or operator seeking an extension of time under paragraph (f)(1) of this section, you may submit a written extension request to the Regional Administrator. Your request must include:

(i) A full explanation of the cause for any such delay and the specific aspects of the Plan affected by the delay;

(ii) A full discussion of actions being taken or contemplated to minimize or mitigate such delay; and

(iii) A proposed time schedule for the implementation of any corrective actions being taken or contemplated, including interim dates for completion of tests or studies, installation and operation of any necessary equipment, or other preventive measures. In addition you may present additional oral or written statements in support of your extension request.

(3) The submission of a written extension request under paragraph (f)(2) of this section does not relieve you of your obligation to comply with the requirements of this part. The Regional Administrator may request a copy of your Plan to evaluate the extension request. When the Regional Administrator authorizes an extension of time for particular equipment or other specific aspects of the Plan, such extension does not affect your obligation to comply with the requirements related to other equipment or other specific aspects of the Plan for which the Regional Administrator has not expressly authorized an extension.

§ 112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.

If you are the owner or operator of a facility subject to this part, you must:

(a) Notwithstanding compliance with § 112.3, whenever your facility has discharged more than 1,000 U.S. gallons of oil in a single discharge as described in § 112.1(b), or discharged more than 42 U.S. gallons of oil in each of two discharges as described in § 112.1(b), occurring within any twelve month period, submit the following information to the Regional Administrator within 60 days from the time the facility becomes subject to this section:

(1) Name of the facility;

(2) Your name;

(3) Location of the facility;

(4) Maximum storage or handling capacity of the facility and normal daily throughput;

(5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;

(6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;

(7) The cause of such discharge as described in § 112.1(b), including a failure analysis of the system or subsystem in which the failure occurred;

(8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence; and

(9) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge.

(b) Take no action under this section until it applies to your facility. This section does not apply until the expiration of the time permitted for the initial preparation and implementation of the Plan under § 112.3, but not including any amendments to the Plan.

(c) Send to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located a complete copy of all information you provided to the Regional Administrator under paragraph (a) of this section. Upon receipt of the information such State agency or agencies may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment, and other requirements necessary to prevent and to contain discharges from your facility.

(d) Amend your Plan, if after review by the Regional Administrator of the information you submit under paragraph (a) of this section, or submission of information to EPA by the State agency under paragraph (c) of this section, or after on-site review of your Plan, the Regional Administrator requires that you do so. The Regional Administrator may require you to amend your Plan if he finds that it does not meet the requirements of this part or that amendment is necessary to prevent and contain discharges from your facility.

(e) Act in accordance with this paragraph when the Regional Administrator proposes by certified mail or by personal delivery that you amend your SPCC Plan. If the owner or operator is a corporation, he must also notify by mail the registered agent of such corporation, if any and if known,

in the State in which the facility is located. The Regional Administrator must specify the terms of such proposed amendment. Within 30 days from receipt of such notice, you may submit written information, views, and arguments on the proposed amendment. After considering all relevant material presented, the Regional Administrator must either notify you of any amendment required or rescind the notice. You must amend your Plan as required within 30 days after such notice, unless the Regional Administrator, for good cause, specifies another effective date. You must implement the amended Plan as soon as possible, but not later than six months after you amend your Plan, unless the Regional Administrator specifies another date.

(f) If you appeal a decision made by the Regional Administrator requiring an amendment to an SPCC Plan, send the appeal to the EPA Administrator in writing within 30 days of receipt of the notice from the Regional Administrator requiring the amendment under paragraph (e) of this section. You must send a complete copy of the appeal to the Regional Administrator at the time you make the appeal. The appeal must contain a clear and concise statement of the issues and points of fact in the case. It may also contain additional information from you, or from any other person. The EPA Administrator may request additional information from you, or from any other person. The EPA Administrator must render a decision within 60 days of receiving the appeal and must notify you of his decision.

§ 112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.

If you are the owner or operator of a facility subject to this part, you must:

(a) Amend the SPCC Plan for your facility in accordance with the general requirements in § 112.7, and with any specific section of this part applicable to your facility, when there is a change in the facility design, construction, operation, or maintenance that materially affects its potential for a discharge as described in § 112.1(b). Examples of changes that may require amendment of the Plan include, but are not limited to: commissioning or decommissioning containers; replacement, reconstruction, or movement of containers; reconstruction, replacement, or installation of piping systems; construction or demolition that might alter secondary containment structures; changes of product or service; or revision of standard operation or maintenance procedures at

a facility. An amendment made under this section must be prepared within six months, and implemented as soon as possible, but not later than six months following preparation of the amendment.

(b) Notwithstanding compliance with paragraph (a) of this section, complete a review and evaluation of the SPCC Plan at least once every five years from the date your facility becomes subject to this part; or, if your facility was in operation on or before August 16, 2002, five years from the date your last review was required under this part. As a result of this review and evaluation, you must amend your SPCC Plan within six months of the review to include more effective prevention and control technology if the technology has been field-proven at the time of the review and will significantly reduce the likelihood of a discharge as described in § 112.1(b) from the facility. You must implement any amendment as soon as possible, but not later than six months following preparation of any amendment. You must document your completion of the review and evaluation, and must sign a statement as to whether you will amend the Plan, either at the beginning or end of the Plan or in a log or an appendix to the Plan. The following words will suffice, "I have completed review and evaluation of the SPCC Plan for (name of facility) on (date), and will (will not) amend the Plan as a result."

(c) Have a Professional Engineer certify any technical amendment to your Plan in accordance with § 112.3(d).

§ 112.6 [Reserved]

§ 112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

If you are the owner or operator of a facility subject to this part you must prepare a Plan in accordance with good engineering practices. The Plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the Plan. You must prepare the Plan in writing. If you do not follow the sequence specified in this section for the Plan, you must prepare an equivalent Plan acceptable to the Regional Administrator that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. If the Plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, you must discuss

these items in separate paragraphs, and must explain separately the details of installation and operational start-up. As detailed elsewhere in this section, you must also:

(a)(1) Include a discussion of your facility's conformance with the requirements listed in this part.

(2) Comply with all applicable requirements listed in this part. Your Plan may deviate from the requirements in paragraphs (g), (h)(2) and (3), and (i) of this section and the requirements in subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§ 112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c), where applicable to a specific facility, if you provide equivalent environmental protection by some other means of spill prevention, control, or countermeasure. Where your Plan does not conform to the applicable requirements in paragraphs (g), (h)(2) and (3), and (i) of this section, or the requirements of subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§ 112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c), you must state the reasons for nonconformance in your Plan and describe in detail alternate methods and how you will achieve equivalent environmental protection. If the Regional Administrator determines that the measures described in your Plan do not provide equivalent environmental protection, he may require that you amend your Plan, following the procedures in § 112.4(d) and (e).

(3) Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each container. The facility diagram must include completely buried tanks that are otherwise exempted from the requirements of this part under § 112.1(d)(4). The facility diagram must also include all transfer stations and connecting pipes. You must also address in your Plan:

(i) The type of oil in each container and its storage capacity;

(ii) Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, *etc.*);

(iii) Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge;

(iv) Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor);

(v) Methods of disposal of recovered materials in accordance with applicable legal requirements; and

(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate Federal, State, and local agencies who must be contacted in case of a discharge as described in § 112.1(b).

(4) Unless you have submitted a response plan under § 112.20, provide information and procedures in your Plan to enable a person reporting a discharge as described in § 112.1(b) to relate information on the exact address or location and phone number of the facility; the date and time of the discharge, the type of material discharged; estimates of the total quantity discharged; estimates of the quantity discharged as described in § 112.1(b); the source of the discharge; a description of all affected media; the cause of the discharge; any damages or injuries caused by the discharge; actions being used to stop, remove, and mitigate the effects of the discharge; whether an evacuation may be needed; and, the names of individuals and/or organizations who have also been contacted.

(5) Unless you have submitted a response plan under § 112.20, organize portions of the Plan describing procedures you will use when a discharge occurs in a way that will make them readily usable in an emergency, and include appropriate supporting material as appendices.

(b) Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your Plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(c) Provide appropriate containment and/or diversionary structures or equipment to prevent a discharge as described in § 112.1(b). The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the containment system before cleanup occurs. At a minimum, you must use one of the following prevention systems or its equivalent:

(1) For onshore facilities:
 (i) Dikes, berms, or retaining walls sufficiently impervious to contain oil;
 (ii) Curbing;
 (iii) Culverting, gutters, or other drainage systems;
 (iv) Weirs, booms, or other barriers;
 (v) Spill diversion ponds;
 (vi) Retention ponds; or
 (vii) Sorbent materials.
 (2) For offshore facilities:
 (i) Curbing or drip pans; or
 (ii) Sumps and collection systems.
 (d) If you determine that the installation of any of the structures or pieces of equipment listed in paragraphs (c) and (h)(1) of this section, and §§ 112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c) to prevent a discharge as described in § 112.1(b) from any onshore or offshore facility is not practicable, you must clearly explain in your Plan why such measures are not practicable; for bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping; and, unless you have submitted a response plan under § 112.20, provide in your Plan the following:

(1) An oil spill contingency plan following the provisions of part 109 of this chapter.

(2) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

(e) *Inspections, tests, and records.* Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC Plan for a period of three years. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(f) *Personnel, training, and discharge prevention procedures.* (1) At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan.

(2) Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management.

(3) Schedule and conduct discharge prevention briefings for your oil-

handling personnel at least once a year to assure adequate understanding of the SPCC Plan for that facility. Such briefings must highlight and describe known discharges as described in § 112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.

(g) *Security (excluding oil production facilities).* (1) Fully fence each facility handling, processing, or storing oil, and lock and/or guard entrance gates when the facility is not in production or is unattended.

(2) Ensure that the master flow and drain valves and any other valves permitting direct outward flow of the container's contents to the surface have adequate security measures so that they remain in the closed position when in non-operating or non-standby status.

(3) Lock the starter control on each oil pump in the "off" position and locate it at a site accessible only to authorized personnel when the pump is in a non-operating or non-standby status.

(4) Securely cap or blank-flange the loading/unloading connections of oil pipelines or facility piping when not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure.

(5) Provide facility lighting commensurate with the type and location of the facility that will assist in the:

(i) Discovery of discharges occurring during hours of darkness, both by operating personnel, if present, and by non-operating personnel (the general public, local police, etc.); and
 (ii) Prevention of discharges occurring through acts of vandalism.

(h) *Facility tank car and tank truck loading/unloading rack (excluding offshore facilities).* (1) Where loading/unloading area drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading and unloading areas. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility.

(2) Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system in loading/unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

(3) Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles,

and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

(i) If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action.

(j) In addition to the minimal prevention standards listed under this section, include in your Plan a complete discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in this part or any applicable more stringent State rules, regulations, and guidelines.

3. Part 112 is amended adding subpart B consisting of §§ 112.8 through 112.11 to read as follows:

Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

Sec.

112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).

112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.

112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

§ 112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under § 112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, as provided in paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in § 112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage container installations so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose.

You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in § 112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§ 122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test each aboveground container for integrity on a regular schedule, and whenever you make material repairs. The frequency of and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated, or partially buried). You must combine visual inspection with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open

watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in § 112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in § 112.1(b). You must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as

indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

§ 112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.

If you are the owner or operator of an onshore production facility, you must:

(a) Meet the general requirements for the Plan listed under § 112.7, and the specific discharge prevention and containment procedures listed under this section.

(b) Oil production facility drainage.

(1) At tank batteries and separation and treating areas where there is a reasonable possibility of a discharge as described in § 112.1(b), close and seal at all times drains of dikes or drains of equivalent measures required under § 112.7(c)(1), except when draining uncontaminated rainwater. Prior to drainage, you must inspect the diked area and take action as provided in § 112.8(c)(3)(ii), (iii), and (iv). You must remove accumulated oil on the rainwater and return it to storage or dispose of it in accordance with legally approved methods.

(2) Inspect at regularly scheduled intervals field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers, for an accumulation of oil that may have resulted from any small discharge. You must promptly remove any accumulations of oil.

(c) *Oil production facility bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and the conditions of storage.

(2) Provide all tank battery, separation, and treating facility

installations with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must safely confine drainage from undiked areas in a catchment basin or holding pond.

(3) Periodically and upon a regular schedule visually inspect each container of oil for deterioration and maintenance needs, including the foundation and support of each container that is on or above the surface of the ground.

(4) Engineer or update new and old tank battery installations in accordance with good engineering practice to prevent discharges. You must provide at least one of the following:

(i) Container capacity adequate to assure that a container will not overflow if a pumper/gauger is delayed in making regularly scheduled rounds.

(ii) Overflow equalizing lines between containers so that a full container can overflow to an adjacent container.

(iii) Vacuum protection adequate to prevent container collapse during a pipeline run or other transfer of oil from the container.

(iv) High level sensors to generate and transmit an alarm signal to the computer where the facility is subject to a computer production control system.

(d) *Facility transfer operations, oil production facility.* (1) Periodically and upon a regular schedule inspect all aboveground valves and piping associated with transfer operations for the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items.

(2) Inspect saltwater (oil field brine) disposal facilities often, particularly following a sudden change in atmospheric temperature, to detect possible system upsets capable of causing a discharge.

(3) Have a program of flowline maintenance to prevent discharges from each flowline.

§ 112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

If you are the owner or operator of an onshore oil drilling and workover facility, you must:

(a) Meet the general requirements listed under § 112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Position or locate mobile drilling or workover equipment so as to prevent a discharge as described in § 112.1(b).

(c) Provide catchment basins or diversion structures to intercept and

contain discharges of fuel, crude oil, or oily drilling fluids.

(d) Install a blowout prevention (BOP) assembly and well control system before drilling below any casing string or during workover operations. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while that BOP assembly and well control system are on the well.

§ 112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

If you are the owner or operator of an offshore oil drilling, production, or workover facility, you must:

(a) Meet the general requirements listed under § 112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Use oil drainage collection equipment to prevent and control small oil discharges around pumps, glands, valves, flanges, expansion joints, hoses, drain lines, separators, treaters, tanks, and associated equipment. You must control and direct facility drains toward a central collection sump to prevent the facility from having a discharge as described in § 112.1(b). Where drains and sumps are not practicable, you must remove oil contained in collection equipment as often as necessary to prevent overflow.

(c) For facilities employing a sump system, provide adequately sized sump and drains and make available a spare pump to remove liquid from the sump and assure that oil does not escape. You must employ a regularly scheduled preventive maintenance inspection and testing program to assure reliable operation of the liquid removal system and pump start-up device. Redundant automatic sump pumps and control devices may be required on some installations.

(d) At facilities with areas where separators and treaters are equipped with dump valves which predominantly fail in the closed position and where pollution risk is high, specially equip the facility to prevent the discharge of oil. You must prevent the discharge of oil by:

(1) Extending the flare line to a diked area if the separator is near shore;

(2) Equipping the separator with a high liquid level sensor that will automatically shut in wells producing to the separator; or

(3) Installing parallel redundant dump valves.

(e) Equip atmospheric storage or surge containers with high liquid level

sensing devices that activate an alarm or control the flow, or otherwise prevent discharges.

(f) Equip pressure containers with high and low pressure sensing devices that activate an alarm or control the flow.

(g) Equip containers with suitable corrosion protection.

(h) Prepare and maintain at the facility a written procedure within the Plan for inspecting and testing pollution prevention equipment and systems.

(i) Conduct testing and inspection of the pollution prevention equipment and systems at the facility on a scheduled periodic basis, commensurate with the complexity, conditions, and circumstances of the facility and any other appropriate regulations. You must use simulated discharges for testing and inspecting human and equipment pollution control and countermeasure systems.

(j) Describe in detailed records surface and subsurface well shut-in valves and devices in use at the facility for each well sufficiently to determine their method of activation or control, such as pressure differential, change in fluid or flow conditions, combination of pressure and flow, manual or remote control mechanisms.

(k) Install a BOP assembly and well control system during workover operations and before drilling below any casing string. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while the BOP assembly and well control system are on the well.

(l) Equip all manifolds (headers) with check valves on individual flowlines.

(m) Equip the flowline with a high pressure sensing device and shut-in valve at the wellhead if the shut-in well pressure is greater than the working pressure of the flowline and manifold valves up to and including the header valves. Alternatively you may provide a pressure relief system for flowlines.

(n) Protect all piping appurtenant to the facility from corrosion, such as with protective coatings or cathodic protection.

(o) Adequately protect sub-marine piping appurtenant to the facility against environmental stresses and other activities such as fishing operations.

(p) Maintain sub-marine piping appurtenant to the facility in good operating condition at all times. You must periodically and according to a schedule inspect or test such piping for failures. You must document and keep a record of such inspections or tests at the facility.

4. Part 112 is amended by adding subpart C consisting of §§ 112.12 through 112.15 to read as follows:

Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, Including Oils from Seeds, Nuts, Fruits and Kernels

Sec.

112.12 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).

112.13 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.

112.14 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

112.15 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, including Oils from Seeds, Nuts, Fruits, and Kernels.

§ 112.12 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities)

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under § 112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, subject to the requirements of paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur

outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in § 112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage container installations so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in § 112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§ 122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by

coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test each aboveground container for integrity on a regular schedule, and whenever you make material repairs. The frequency of and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated, or partially buried). You must combine visual inspection with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in § 112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in § 112.1(b). You must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

§ 112.13 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.

If you are the owner or operator of an onshore production facility, you must:

(a) Meet the general requirements for the Plan listed under § 112.7, and the specific discharge prevention and containment procedures listed under this section.

(b) *Oil production facility drainage.*

(1) At tank batteries and separation and treating areas where there is a reasonable possibility of a discharge as described in § 112.1(b), close and seal at all times drains of dikes or drains of equivalent measures required under § 112.7(c)(1), except when draining uncontaminated rainwater. Prior to drainage, you must inspect the diked area and take action as provided in § 112.12(c)(3)(ii), (iii), and (iv). You must remove accumulated oil on the rainwater and return it to storage or dispose of it in accordance with legally approved methods.

(2) Inspect at regularly scheduled intervals field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers, for an accumulation of oil that may have resulted from any small discharge. You must promptly remove any accumulations of oil.

(c) *Oil production facility bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and the conditions of storage.

(2) Provide all tank battery, separation, and treating facility installations with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must safely confine drainage from undiked areas in a catchment basin or holding pond.

(3) Periodically and upon a regular schedule visually inspect each container of oil for deterioration and maintenance needs, including the foundation and support of each container that is on or above the surface of the ground.

(4) Engineer or update new and old tank battery installations in accordance with good engineering practice to prevent discharges. You must provide at least one of the following:

(i) Container capacity adequate to assure that a container will not overflow if a pumper/gauger is delayed in making regularly scheduled rounds.

(ii) Overflow equalizing lines between containers so that a full container can overflow to an adjacent container.

(iii) Vacuum protection adequate to prevent container collapse during a

pipeline run or other transfer of oil from the container.

(iv) High level sensors to generate and transmit an alarm signal to the computer where the facility is subject to a computer production control system.

(d) *Facility transfer operations, oil production facility.* (1) Periodically and upon a regular schedule inspect all aboveground valves and piping associated with transfer operations for the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items.

(2) Inspect saltwater (oil field brine) disposal facilities often, particularly following a sudden change in atmospheric temperature, to detect possible system upsets capable of causing a discharge.

(3) Have a program of flowline maintenance to prevent discharges from each flowline.

§ 112.14 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

If you are the owner or operator of an onshore oil drilling and workover facility, you must:

(a) Meet the general requirements listed under § 112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Position or locate mobile drilling or workover equipment so as to prevent a discharge as described in § 112.1(b).

(c) Provide catchment basins or diversion structures to intercept and contain discharges of fuel, crude oil, or oily drilling fluids.

(d) Install a blowout prevention (BOP) assembly and well control system before drilling below any casing string or during workover operations. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while that BOP assembly and well control system are on the well.

§ 112.15 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

If you are the owner or operator of an offshore oil drilling, production, or workover facility, you must:

(a) Meet the general requirements listed under § 112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Use oil drainage collection equipment to prevent and control small oil discharges around pumps, glands, valves, flanges, expansion joints, hoses,

drain lines, separators, treaters, tanks, and associated equipment. You must control and direct facility drains toward a central collection sump to prevent the facility from having a discharge as described in § 112.1(b). Where drains and sumps are not practicable, you must remove oil contained in collection equipment as often as necessary to prevent overflow.

(c) For facilities employing a sump system, provide adequately sized sump and drains and make available a spare pump to remove liquid from the sump and assure that oil does not escape. You must employ a regularly scheduled preventive maintenance inspection and testing program to assure reliable operation of the liquid removal system and pump start-up device. Redundant automatic sump pumps and control devices may be required on some installations.

(d) At facilities with areas where separators and treaters are equipped with dump valves which predominantly fail in the closed position and where pollution risk is high, specially equip the facility to prevent the discharge of oil. You must prevent the discharge of oil by:

(1) Extending the flare line to a diked area if the separator is near shore;

(2) Equipping the separator with a high liquid level sensor that will automatically shut in wells producing to the separator; or

(3) Installing parallel redundant dump valves.

(e) Equip atmospheric storage or surge containers with high liquid level sensing devices that activate an alarm or control the flow, or otherwise prevent discharges.

(f) Equip pressure containers with high and low pressure sensing devices that activate an alarm or control the flow.

(g) Equip containers with suitable corrosion protection.

(h) Prepare and maintain at the facility a written procedure within the Plan for inspecting and testing pollution prevention equipment and systems.

(i) Conduct testing and inspection of the pollution prevention equipment and systems at the facility on a scheduled periodic basis, commensurate with the complexity, conditions, and circumstances of the facility and any other appropriate regulations. You must use simulated discharges for testing and inspecting human and equipment pollution control and countermeasure systems.

(j) Describe in detailed records surface and subsurface well shut-in valves and devices in use at the facility for each well sufficiently to determine their

method of activation or control, such as pressure differential, change in fluid or flow conditions, combination of pressure and flow, manual or remote control mechanisms.

(k) Install a BOP assembly and well control system during workover operations and before drilling below any casing string. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while that BOP assembly and well control system are on the well.

(l) Equip all manifolds (headers) with check valves on individual flowlines.

(m) Equip the flowline with a high pressure sensing device and shut-in valve at the wellhead if the shut-in well pressure is greater than the working pressure of the flowline and manifold valves up to and including the header valves. Alternatively you may provide a pressure relief system for flowlines.

(n) Protect all piping appurtenant to the facility from corrosion, such as with protective coatings or cathodic protection.

(o) Adequately protect sub-marine piping appurtenant to the facility against environmental stresses and other activities such as fishing operations.

(p) Maintain sub-marine piping appurtenant to the facility in good operating condition at all times. You must periodically and according to a schedule inspect or test such piping for failures. You must document and keep a record of such inspections or tests at the facility.

5. Part 112 is amended by designating §§ 112.20 and 112.21 as subpart D, and adding a subpart heading as follows:

Subpart D—Response Requirements

Sec.

112.20 Facility response plans.

112.21 Facility response training and drills/exercises.

Subpart D—Response Requirements

6. Section 112.20 is amended by revising the first sentence of paragraph (h) to read as follows:

§ 112.20 Facility response plans.

* * * * *

(h) A response plan shall follow the format of the model facility-specific response plan included in Appendix F to this part, unless you have prepared an equivalent response plan acceptable to the Regional Administrator to meet State or other Federal requirements. * *

* * * * *

Appendix C—[Amended]

7. Appendix C of part 112 is amended by:

- a. Revising the first sentence of section 2.1; and
- b. Revising the title and first sentence of section 2.4.

Appendix C to Part 112—Substantial Harm Criteria

* * * * *

2.1 Non-Transportation-Related Facilities With a Total Oil Storage Capacity Greater Than or Equal to 42,000 Gallons Where Operations Include Over-Water Transfers of Oil

A non-transportation-related facility with a total oil storage capacity greater than or equal to 42,000 gallons that transfers oil over water to or from vessels must submit a response plan to EPA. * * *

* * * * *

2.4 Proximity to Public Drinking Water Intakes at Facilities with a Total Oil Storage Capacity Greater than or Equal to 1 Million Gallons

A facility with a total oil storage capacity greater than or equal to 1 million gallons must submit its response plan if it is located at a distance such that a discharge from the facility would shut down a public drinking water intake, which is analogous to a public water system as described at 40 CFR 143.2(c). * * *

* * * * *

Appendix D—[Amended]

8. Appendix D of part 112 is amended by revising footnote 2 to section A.2 of Part A to read as follows:

Appendix D to Part 112—Determination of a Worst Case Discharge Planning Volume

* * * * *

Part A * * *

* * * * *

A.2 Secondary Containment—Multiple-Tank Facilities

* * * * *

Secondary containment is described in 40 CFR part 112, subparts A through C. Acceptable methods and structures for containment are also given in 40 CFR 112.7(c)(1).

* * * * *

Appendix F—[Amended]

9. Appendix F of part 112 is amended by:

- a. Revising section 1.2.7;
- b. Revising the second and last sentences of section 1.4.3;

c. Revising paragraph (7) and the undesignated paragraph and NOTE following paragraph (7) in section 1.7.3;

d. Revising section 1.8.1;

e. Revising the first two sentences of section 1.8.1.1. introductory text;

f. Revising the next to the last sentence of section 1.8.1.3;

g. Revising the next to last sentence of section 1.10.;

h. Revising paragraph (6) of section 2.1;

i. Remove the acronym “SIC” in section 3.0, and add in alphabetical order the acronym “NAICS”; and.

j. Remove the reference to “Standard Industrial Classification (SIC) Code” in Attachment F–1, General Information, and add in in alphabetical order a reference to “North American Industrial Classification System (NAICS) Code.”

The revisions read as follows:

Appendix F to Part 112—Facility-Specific Response Plan

* * * * *

1.2.7 Current Operation

Briefly describe the facility’s operations and include the North American Industrial Classification System (NAICS) code.

* * * * *

1.4.3 Analysis of the Potential for an Oil Discharge

* * * This analysis shall incorporate factors such as oil discharge history, horizontal range of a potential discharge, and vulnerability to natural disaster, and shall, as appropriate, incorporate other factors such as tank age. * * * The owner or operator may need to research the age of the tanks the oil discharge history at the facility.

* * * * *

1.7.3 Containment and Drainage Planning

* * * * *

(7) Other cleanup materials.

In addition, a facility owner or operator must meet the inspection and monitoring requirements for drainage contained in 40 CFR part 112, subparts A through C. A copy of the containment and drainage plans that are required in 40 CFR part 112, subparts A through C may be inserted in this section, including any diagrams in those plans.

Note: The general permit for stormwater drainage may contain additional requirements.

* * * * *

1.8.1 Facility Self-Inspection

Under 40 CFR 112.7(e), you must include the written procedures and records of inspections for each facility in the SPCC

Plan. You must include the inspection records for each container, secondary containment, and item of response equipment at the facility. You must cross-reference the records of inspections of each container and secondary containment required by 40 CFR 112.7(e) in the facility response plan. The inspection record of response equipment is a new requirement in this plan. Facility self-inspection requires two-steps: (1) a checklist of things to inspect; and (2) a method of recording the actual inspection and its findings. You must note the date of each inspection. You must keep facility response plan records for five years. You must keep SPCC records for three years.

* * * * *

1.8.1.1 Tank Inspection

The tank inspection checklist presented below has been included as guidance during inspections and monitoring. Similar requirements exist in 40 CFR part 112, subparts A through C. * * *

* * * * *

1.8.1.3 Secondary Containment Inspection

* * * * *

* * * Similar requirements exist in 40 CFR part 112, subparts A through C. * * *

* * * * *

1.10 Security

According to 40 CFR 112.7(g) facilities are required to maintain a certain level of security, as appropriate. * * *

* * * * *

2.1 General Information

* * * * *

(6) North American Industrial Classification System (NAICS) Code: Enter the facility’s NAICS code as determined by the Office of Management and Budget (this information may be obtained from public library resources.)

* * * * *

3.0 Acronyms

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NAICS: North American Industrial Classification System

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Attachments to Appendix F

Attachment F–1—Response Plan Cover Sheet

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General Information

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North American Industrial Classification System (NAICS) Code:

* * * * *

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